

## **ZONING COMMITTEE STAFF REPORT**

1. **FILE NAME:** O'Reilly Automotive Stores Inc
  2. **APPLICANT:** O'Reilly Automotive Stores Inc **HEARING DATE:** October 24, 2013
  3. **TYPE OF APPLICATION:** Rezoning
  4. **LOCATION:** 1653, 1655, and 1659 Huron St, between Larpenteur and Idaho Ave W
  5. **PIN & LEGAL DESCRIPTION:** 222923120002; Chelsea Heights Lot 4 Blk 3
  6. **PLANNING DISTRICT:** 10 **EXISTING ZONING:** VP
  7. **ZONING CODE REFERENCE:** §61.801(b)
  8. **STAFF REPORT DATE:** October 17, 2013 **BY:** Jamie Radel
  9. **DATE RECEIVED:** September 25, 2013 **60-DAY DEADLINE FOR ACTION:** November 24, 2013
- 

- A. **PURPOSE:** Rezone from VP Vehicular Parking to B2 Community Business District.
- B. **PARCEL SIZE:** 15,600 sq. ft.
- C. **EXISTING LAND USE:** Undeveloped (parking lot)
- D. **SURROUNDING LAND USE:**
  - North: Retail and other commercial (the former Patrick's Lounge)
  - East (across Huron Street): Multifamily to the east
  - South: Single-family detached
  - West: Multifamily, single-family attached, and single-family detached
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The subject properties, currently zoned VP Vehicular Parking, were used for parking for the former Patrick's Lounge from 1973 until the establishment closed in 2012. The applicant purchased the properties with the intention of developing a new auto parts retail location on this site.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The applicant presented the proposed development to the District 10 Land Use Committee in August. District 10 has provided a letter supporting the redevelopment and rezoning of this property. This letter includes recommended conditions for the physical development of this site. As the recommended conditions are outside of the prevue of this rezoning process, the October 1, 2013 letter has been forwarded to the Department of Safety and Inspections to take into consideration during their review of the applicant's site plan.
- H. **FINDINGS:**
  1. The applicant has requested that the zoning on 1653, 1655, and 1659 Huron Street be changed from VP Vehicular Parking to B2 Community Business. The applicant owns the parcel to the north, which is zoned B2 Community, and would like to redevelop the three subject lots consistent with the B2 district. The subject parcels have been part of a commercial use for at least 40 years and, to allow for more flexibility in site design.
  2. The proposed zoning is consistent with the adjacent B2 zoning and the way this area has developed.

3. The proposed zoning is consistent with the Comprehensive Plan future land use designation of Existing Neighborhood. Policy LU-1.7 states: "Permit neighborhood serving businesses compatible with the character of the Established Neighborhoods [future land use category]." Discussion of this policy says: "the use should occur at the intersection of two streets, either arterials or collectors, located on a transit route where commercial development currently exists." The subject parcels are part of an existing B2 commercial district at the intersection of Larpenteur and Hamline Avenues. Larpenteur is an arterial with a bus route, and Hamline is a collector.
  4. The proposed zoning is compatible with existing uses along Larpenteur Avenue, including a multi-family residential complex to the east and a small drive-up restaurant to the west. This property has been in commercial use for at least 40 years and this rezoning makes it no less compatible with the adjacent single-family attached and single-family detached homes to the south. District Council 10 has requested four conditions to mitigate any negative impacts to the neighborhoods. This has been forwarded to the Department of Safety and Inspections to review as part their site plan review process.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends the rezoning of 1653, 1655, and 1689 Huron St. from the VP Vehicular Parking district to the B2 Community Business district.



**PETITION TO AMEND THE ZONING CODE**  
Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

RECEIVED

SEP 25 2013

PD=10

Zoning Office Use Only

File #: 13-236068

Fee: 1200.00

Tentative Hearing Date:

10-24-13

**APPLICANT**

Property Owner O'Reilly Automotive Stores, Inc. 222923120002  
Address 233 S. Patterson 0003  
City Springfield St. MO Zip 65802 Daytime Phone 417-862-3333  
Name of Owner (if different) \_\_\_\_\_  
Contact Person (if different) Liz Dugger Phone 417-520-4582

**PROPERTY LOCATION**

Address/Location 1318 Larpenteur Ave  
Legal Description Please see attached Exhibit "A"  
Current Zoning VP  
(attach additional sheet if necessary)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes,

O'Reilly Automotive Stores, Inc., owner of land proposed for rezoning, hereby petitions you to

rezone the above described property from a VP zoning district to a B2 zoning district, for the purpose of:

construction of an O'Reilly Auto Parts store. A majority of the property is zoned B2, with only a small portion being zoned VP. This VP designation was created by a Special Use Permit recorded in June of 1972. That use has since vacated the property; therefore, O'Reilly is requesting that this portion be rezoned to B2.

(attach additional sheets if necessary)

Attachments as required: ☒ Site Plan ☐ Consent Petition ☐ Affidavit

Subscribed and sworn to before me

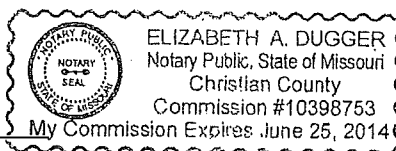
this 16<sup>th</sup> day

of July, 2013

Notary Public

By: [Signature]  
See owner of property

Title: Scott Kraus, VP of Real Estate









October 1, 2013

Department of Planning & Economic Development & Board of Zoning Appeals  
Room 330, City Hall, 15 Kellogg Boulevard  
Saint Paul, Minnesota

Ladies & Gentlemen,

The District 10 Land Use Committee met with O'Reilly Auto Parts Architect/Representative Brian Neihaus at our August Land Use meeting. Brian showed us the blueprints for the proposed redevelopment and explained that a portion of the current parking lot will need to be rezoned in order to put a building on that section of land. District 10 supports the redevelopment of this property and the rezoning of the land with these conditions:

1. The current fence is replaced with the same style & color as the fence the city installed at the end of Huron Street next to this property. The current fence is falling down and has outlived its useful life.
2. We would also like to see landscaping installed outside this fence that will absorb some of the sound coming from the property.
3. A public sidewalk is installed along Larpenteur Avenue.
4. Any exterior lighting will have shields installed that keep light from shining into residential properties.

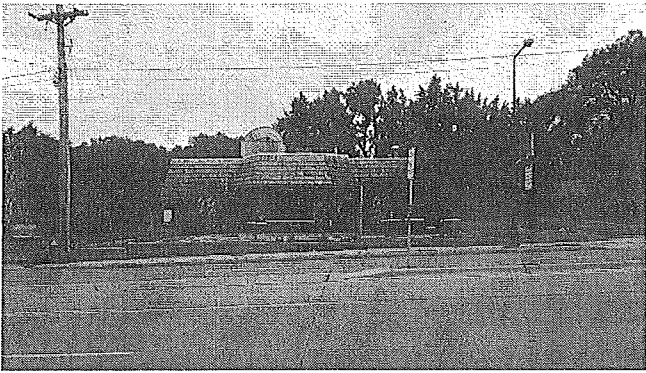
We support Mr. Niehaus' proposal to widen the Larpenteur Avenue curb cut to 30 feet from the current 24 feet called for by city code.

Sincerely,

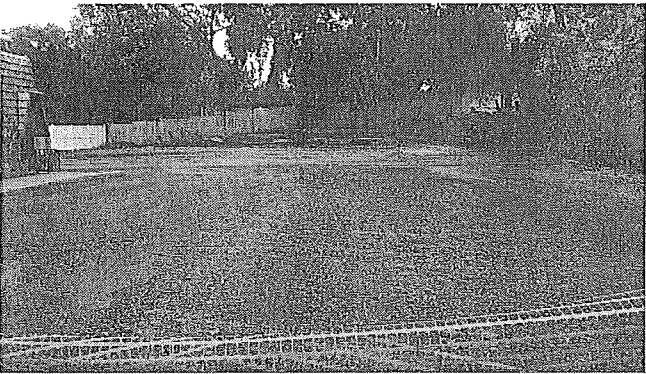
Kim Moon  
Land Use Chair  
District 10 Como Community Council  
Historic Streetcar Station  
1224 Lexington Parkway North, Saint Paul, MN 55103  
(651) 644-3889  
[district10@district10comopark.org](mailto:district10@district10comopark.org)  
[www.district10comopark.org](http://www.district10comopark.org)

cc: Councilmembers Amy Brendmoen & Russ Stark

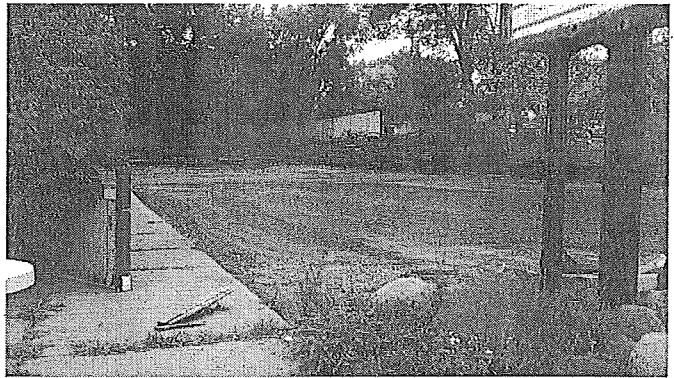
## Rezoning Request: 1653, 1655, and 1659 Huron Street



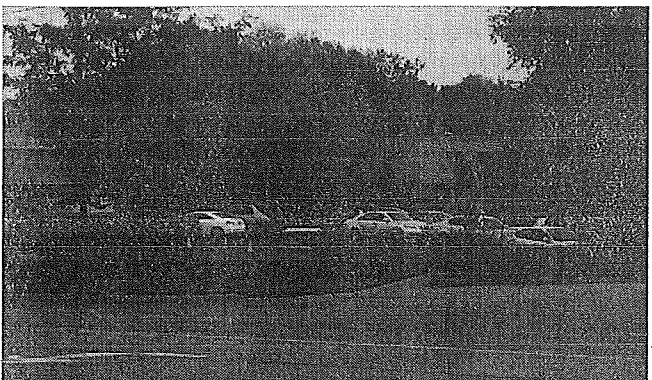
Overall site to be redeveloped



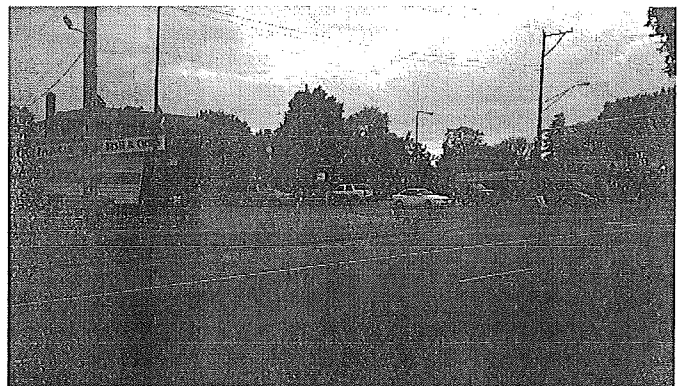
View of subject parcels (west side of site)



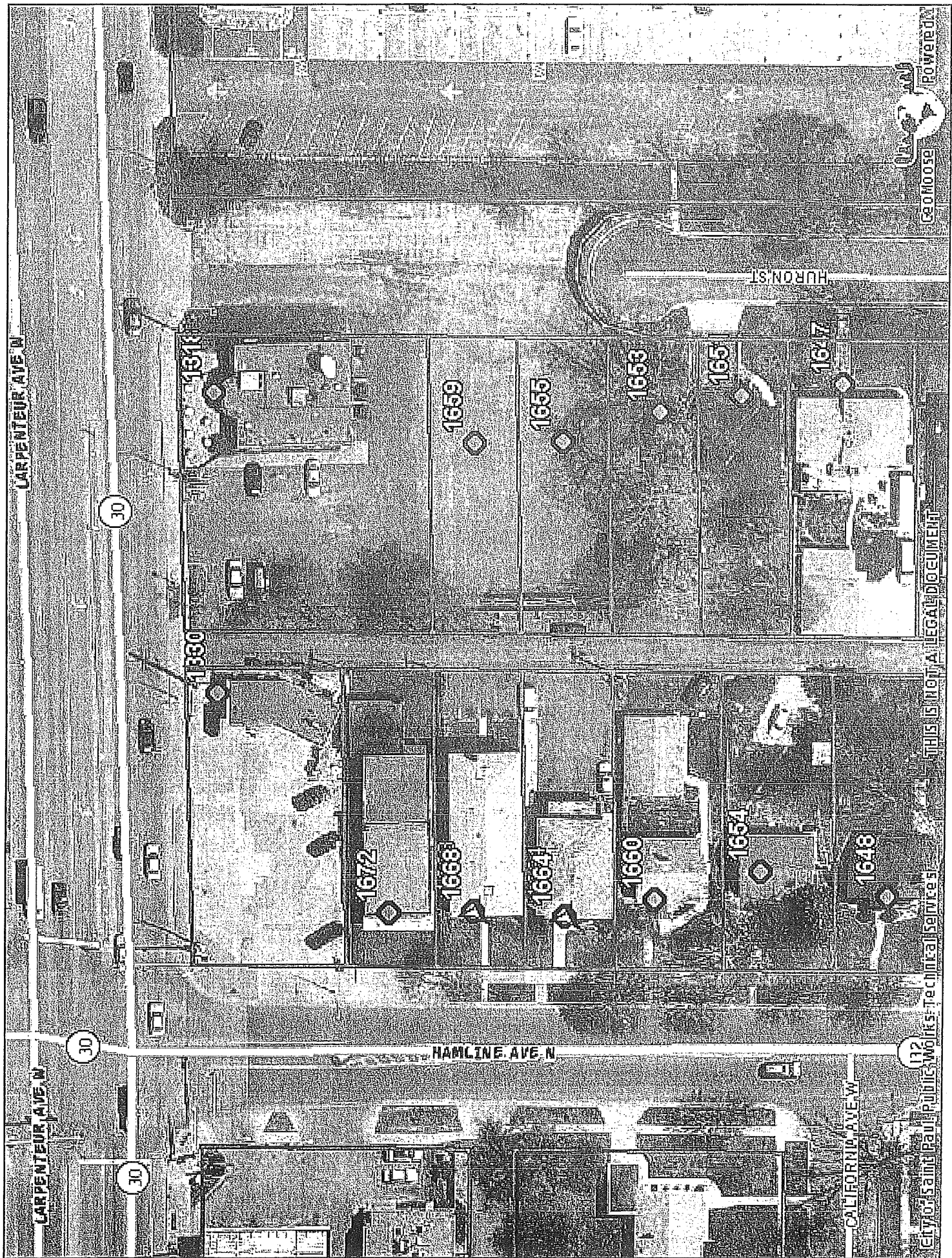
View of subject parcels (east side of site)



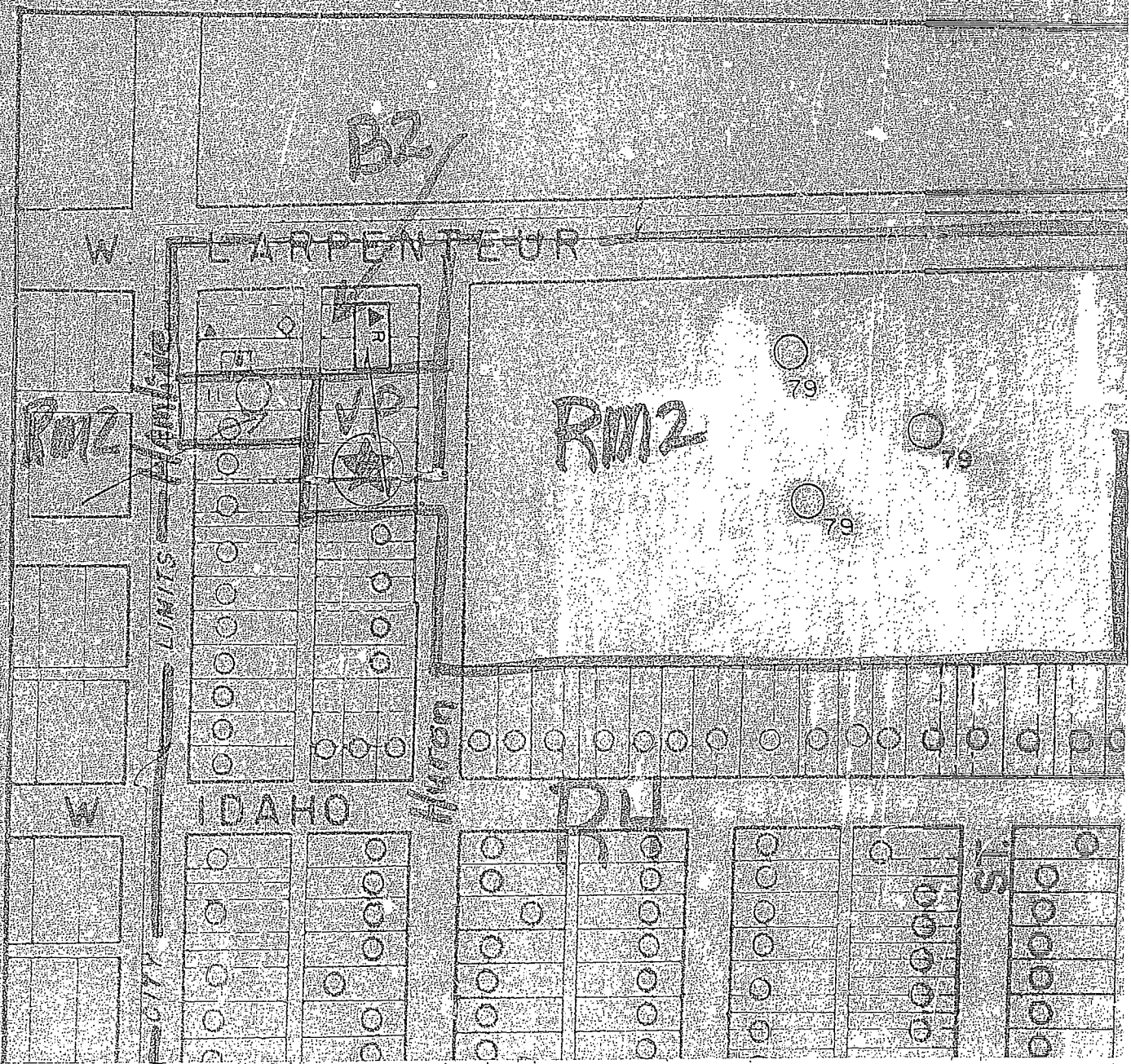
Adjacent multifamily use (east of subject properties)



Adjacent business use (west of subject properties)







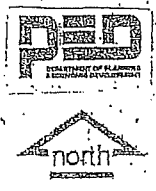
APPLICANT O'Reilly Automotive  
 PURPOSE REZ VP → B2  
 FILE # 13-236068 DATE 9-26-13  
 PLNG. DIST. 10 Land Use Map # 3  
 SCALE 1" = 400' Zoning Map # 2

LEGEND

- zoning district boundary
- subject property

- one family
- two family
- multiple family

- commercial
- industrial
- vacant



## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** AT & T (Skyline Building) **FILE #** 13-239-537
  2. **APPLICANT:** AT & T / New Cingular Wireless PCS, LLC **HEARING DATE:** October 24, 2013
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 633 Robert St S, between King and Baker
  5. **PIN & LEGAL DESCRIPTION:** 08.28.22.23.0185-0215, Cic No 611 Skyline Condos
  6. **PLANNING DISTRICT:** 3 **PRESENT ZONING:** RM-2
  7. **ZONING CODE REFERENCE:** §65.310; §61.501, §61.502
  8. **STAFF REPORT DATE:** 10/16/2013 **BY:** Jake Reilly
  9. **DATE RECEIVED:** 9/30/2013 **60-DAY DEADLINE FOR ACTION:** 11/29/2013
- 

- A. **PURPOSE:** Conditional use permit to install nine (9) cell antennas
- B. **PARCEL SIZE:** Irregularly shaped lot, 250 ft. fronting on Robert Street, totaling 46,500 sq. ft.
- C. **EXISTING LAND USE:** R-Multi-Family
- D. **SURROUNDING LAND USE:**  
Surrounded on all four sides by other residential uses, zoned RT-1
- E. **ZONING CODE CITATION:** §65.310 lists standards and conditions for cellular telephone antennae; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** In December of 1997 the Planning Commission approved a special conditional use permit to allow Sprint to install a cellular antenna on the rooftop of this building subject to the condition that the switching equipment be painted to blend in with the color of the building (Z.F. #97-301). The antenna is still operational and remains in place. In 2010 the Planning Commission approved a conditional use permit for wireless communication antenna, for broadband purposes, on a residential structure less than 60 feet high subject to the condition that if the antenna is no longer used for cellular phone/wireless communication services it shall be removed within one year as required in section 65.310(i) (Z.F. #10-130-112).
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 3 Council had not responded at the time this staff report was prepared.
- H. **FINDINGS:**
  1. The applicant, AT & T/New Cingular Wireless PCS, LLC seeks to install nine (9) cell antennas and a 12' by 25' equipment platform on the property at 633 Robert Street S. The cell antennas will join two existing antennas and an existing equipment platform from another carrier on the building.
  2. §65.310 defines 'cellular telephone antenna', requires a conditional use permit for cellular telephone antennas on a residential structure less than 60 feet high, and lists standards and conditions with which they must comply. Conditions (a), (b), (c), (d), (h) and (i) apply:
    - (a) *In residential districts, a conditional use permit is required for cellular telephone antennas on a residential structure less than sixty (60) feet high. In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a freestanding pole, except for existing utility poles. In residential and traditional neighborhood districts, existing utility poles to which cellular telephone antennas are attached shall be at least sixty (60) feet high. This condition is met. An application for a conditional use permit has been made for a wireless communication antenna on a residential structure less than 60 feet high.*
    - (b) *In residential, traditional neighborhood, and OS--B3 and B5 business districts, the antennas shall not extend more than fifteen (15) feet above the structural height of the structure to which they are attached. In B4 Business and Industrial Districts, the antennas*

*shall not extend more than forty (40) feet above the structural height of the structure to which they are attached. This condition is met. Three antennas are mounted on the side of the building, and do not exceed the height of the building roofline. Additional antennas are mounted on a platform and will be less than 15-feet high above the roof of the structure.*

- (c) For antennas proposed to be located on a residential structure less than sixty (60) feet high in residential districts, or on a new freestanding pole in residential, traditional neighborhood, and business districts, the applicant shall demonstrate that the proposed antennas cannot be accommodated on an existing freestanding pole, an existing residential structure at least sixty (60) feet high, an existing institutional use structure, or a business building within one-half ( 1/2) mile radius of the proposed antennas due to one (1) or more of the following reasons:*

- (1) The planned equipment would exceed the structural capacity of the existing pole or structure.*
- (2) The planned equipment would cause interference with other existing or planned equipment on the pole or structure.*
- (3) The planned equipment cannot be accommodated at a height necessary to function reasonably.*
- (4) The owner of the existing pole, structure or building is unwilling to co-locate an antenna. This condition is met. The applicant has provided a map showing buildings within one half mile of the proposed antenna site, and explained why the proposed antenna cannot be accommodated on existing structures in the area.*

- (d) In residential, traditional neighborhood and business districts, cellular telephone antennas to be located on a new freestanding pole are subject to the following standards and conditions: The proposed antenna is not a freestanding design.*

- (h) Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary, it shall be permitted and regulated as an accessory building, section 63.500, and screened from view by landscaping where appropriate. This condition is met. The applicant is proposing to mount an equipment cabinet to the existing elevator penthouse, minimizing its visibility from the street.*

- (i) Cellular telephone antennas that are no longer used for cellular telephone service shall be removed within one (1) year of nonuse. This condition is met. The applicant has agreed to abide by this condition.*

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The Comprehensive Plan refers to the importance of ensuring investments in local and regional infrastructure supportive of economic development.*
- (2) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. Access to the equipment cabinet for maintenance purposes will not have an impact on traffic congestion in the public streets.*
- (3) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This condition is met. The use will not alter the existing character of development in the area and will improve the general welfare by expanding cellular communication capabilities in the area.*
- (4) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met. The use will not impede the development or improvement of surrounding properties.*

(5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The construction, operation and maintenance of the antenna will conform to all applicable district regulations.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit to install nine (9) cell antennas and related equipment on the property at 633 Robert Street.



# CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development

Zoning Section

1400 City Hall Annex

25 West Fourth Street

Saint Paul, MN 55102-1634

(651) 266-6589

Zoning office use only

File # 13-239537

Fee: \_\_\_\_\_

Tentative Hearing Date:

10-24-13

PD = 3

# 08282223 0213 et al

## APPLICANT

Name ATTN / SKYLINE BUILDING  
Address PO BOX 119  
City LAKE ELMER St. MN Zip 55042 Daytime Phone 612 414 5013  
Name of Owner (if different) TRAY DEWITT  
Contact Person (if different) STEVE STOLZ Phone 612 414 5013

## PROPERTY LOCATION

Address / Location 633 S. ROBERT STREET  
Legal Description LOTS 8 9 x 10 BLOCK 125 SEE ATTACHED  
Current Zoning QMD 4  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of  
Chapter 65, Section 65.310, Paragraph 310-17 of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

SEE ATTACHED

☒ Required site plan is attached

Applicant's Signature

[Signature]

Date

8/16/13

City Agent

[Signature]  
9-30-13



August 16, 2013  
Ms. Karen Zacho  
Zoning Inspector

City of Saint Paul  
375 Jackson Street  
Saint Paul, MN 55101

Dear Ms. Zacho:

AT&T/ New Cingular Wireless (AT&T) is proposing to upgrade their existing coverage and capacity with new sites supporting the Saint Paul area. This upgrade is necessary to add 4G LTE upgrade to accomplish next generation improved more reliable coverage and additional bandwidth capacity for wifi and increasing smart phone usage and the related services that accompany this increased 4G subscriber needs. This upgrade will help to insure improved coverage to meet the growing demand for cell phone traffic as well as web and smart phone type services.

Enclosed please find a Conditional Use Permit application and information for a proposed new cell site located at 633 S. Robert Street (the Skyline Building). This site currently has existing antennas and related equipment for Sprint and Clearwire. AT&T is proposing to add (9) as well as a 12' x 25' equipment platform to the roof of this building.

The City Code requires that placement of cell antennas in a residential area under 60' obtain approval from the City prior to installation. AT&T has reviewed the area extensively in an effort to locate a site to accomplish our coverage goals and has determined that this site best suits our need. There are no existing towers or poles to colocate within a ½ mile radius and this is the tallest building in the general area.

This project is in line with the City's Comprehensive Plan as cell service is part of regional infrastructure and economic development.

There will be no impact to egress and ingress or traffic patterns as a result of this project.

As there are currently existing antennas and equipment on this site there will be no detrimental impact to the character or use as well as no detrimental impact on the neighborhood health, safety or general welfare.

This site is an existing building roof top and this proposed installation will have no impact on future use or development in the area

This antennas upgrade will not cause any physical or RF interference with other telecommunication facilities

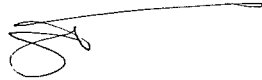
AT&T will comply with all applicable FCC and FAA requirements associated with the construction and maintenance of the proposed project. Furthermore, AT&T is required to comply with all applicable FCC regulations, which ensures that there is no interference with emergency and/or public safety telecommunications signals or signals from other licensed carriers.

AT&T and the property owner will abide by all conditions and stipulations by the City of Saint Paul CUP and will operate in compliance with all safety standards, codes, laws rules and regulations.

AT&T understands that we will need to apply for and obtain approval of a building permit issued by the City of Saint Paul to complete this work. This upgrade is legally permissible and AT&T is licensed to do business in the state of Minnesota.

Attached you will find our application package. If you should have any questions regarding this application, please feel free to contact me at 612-414-5013.

Sincerely,



Steve Stulz  
Agent for AT&T  
Phone (612) 414-5013  
Fax (612) 225-1832  
Email [ARESMidwest@aol.com](mailto:ARESMidwest@aol.com)

P.O. Box 119  
Lake Elmo, MN 55042

Enclosures

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## Request for Continuance

Date 10/3/13

Gauis Nelson, Chair  
Zoning Committee  
City of Saint Paul  
1400 City Hall Annex  
Saint Paul, Minnesota 55102

RECEIVED

OCT 03 2013

Per \_\_\_\_\_

Re: Zoning File # 13-239-537

Dear Mr. Nelson:

I am the applicant or the applicant's duly appointed representative for this zoning file.

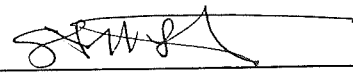
I request a continuance of the public hearing on the application in this zoning file, which is presently scheduled before the Zoning Committee on 10/10/13.

I understand that a continuance of the public hearing before the Zoning Committee means that the decision of the Planning Commission on this application, which is presently scheduled for 10/18/13, will also be continued.

I request that the Zoning Committee continue the public hearing for this zoning file to 10/24/13, I understand that the Planning Commission would then be scheduled to make their decision on 11/11/13.

I am aware of and understand the statutory requirements found in Minn. Statue § 15.99 (1995) requiring the City of Saint Paul to approve or deny this application within sixty days of its submission. I desire to extend the sixty day period for a City decision under Minn. Stat. §15.99 by 30 days to 11/3/13, to accommodate the continuance I am requesting.

Sincerely,

  
\_\_\_\_\_  
Signature of Applicant or  
Applicant's duly appointed  
representative.

STEVE STULZ, Agent for AT&T  
\_\_\_\_\_  
Printed name of Applicant or  
Applicant's duly appointed  
representative.

2/25/2010

RECEIVED

OCT 03 2013

Per \_\_\_\_\_

September 30, 2013  
Skyline Building  
633 S. Robert Street  
St. Paul, MN 55107

Re: Proposed AT&T Antenna Site

To whom it may concern,

Please let this letter act as support for the AT&T's proposed antenna and equipment installation on  
The Skyline Building located at 633 S. Robert Street. Dewitt Properties is the property manager and also  
Has an ownership right to the rooftop of the Skyline Building. We have negotiated a lease with AT&T for the  
necessary space to accomplish this proposed installation. The final lease execution is contingent upon obtaining  
the necessary City approvals to construct the project as proposed.

If you have any further questions you may feel free to contact me at 651-366-6360.

Sincerely,



Troy Dewitt, Dewitt Properties LLC



**BLACK & VEATCH**  
Building a world of difference.

RECEIVED

OCT 03 2013



Per \_\_\_\_\_

## PHOTOGRAPHIC SIMULATION

### PROPOSED WIRELESS COMMUNICATIONS FACILITY

#### SITE LOCATION MAP

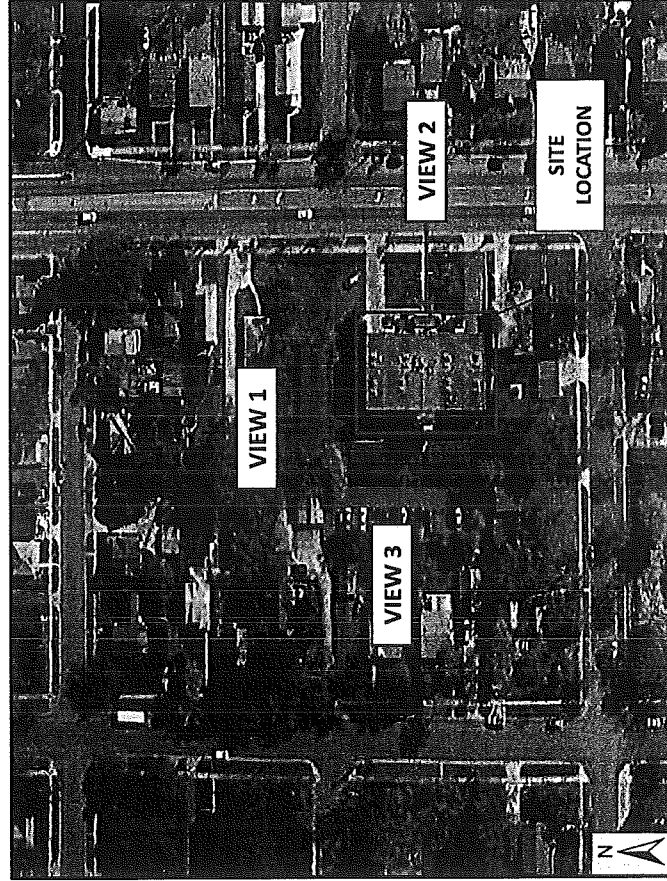


Image © Google Maps 2012

The included Photographic Simulation(s) are intended as visual representations only and should not be used for construction purposes. The materials represented within the included Photographic Simulation(s) are subject to change.

SITE NUMBER: MPLSMNU3429

SITE NAME: ECFE WEST SIDE

SITE ADDRESS: 633 SOUTH ROBERT STREET  
SAINT PAUL, MN 55104

DATE: 08/21/13

APPLICANT: AT&T WIRELESS

CONTACT: AHMED ISSAHAK  
BLACK & VEATCH  
913-458-2872

RECEIVED

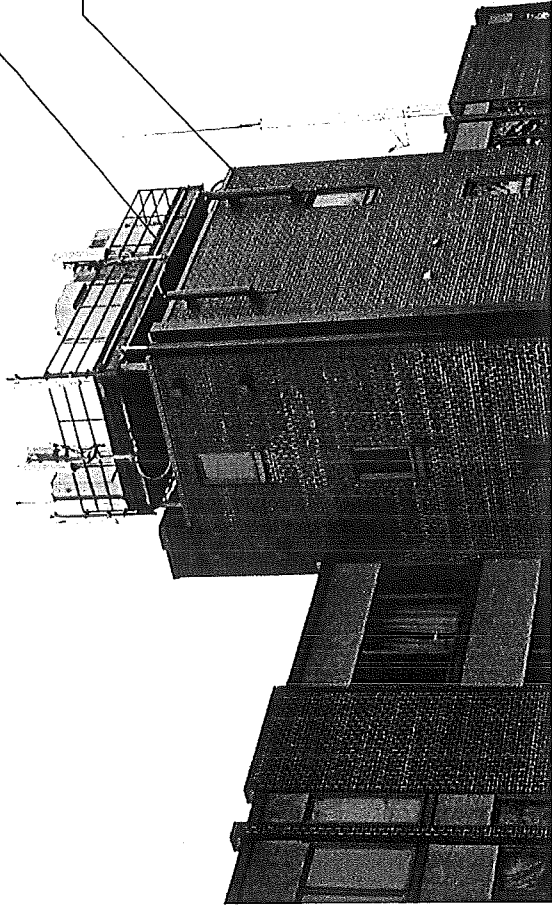
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Per \_\_\_\_\_

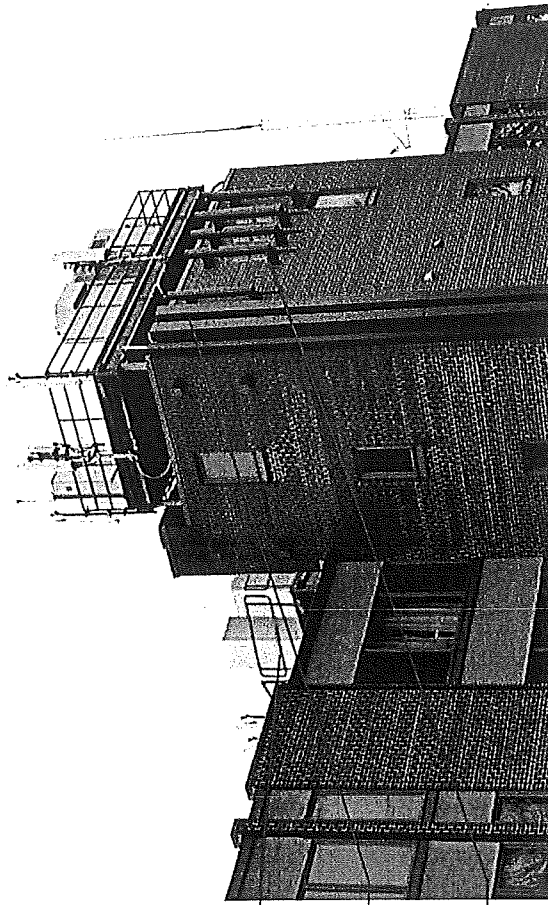
EXISTING PLATFORM  
(OTHER CARRIER)

EXISTING ANTENNAS  
(OTHER CARRIER)



EXISTING VIEW 1 -  
LOOKING SOUTH

PHOTOGRAPHIC SIMULATION -  
VIEW 1 - LOOKING SOUTH



PROPOSED AT&T  
EQUIPMENT PLATFORM

PROPOSED AT&T CABLE  
TRAY

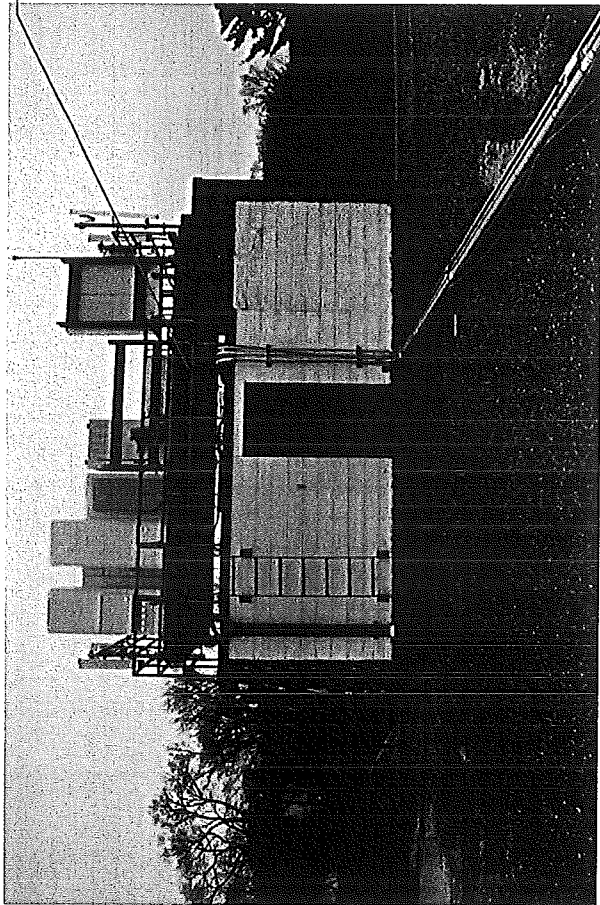
PROPOSED AT&T  
ANTENNAS



RECEIVED

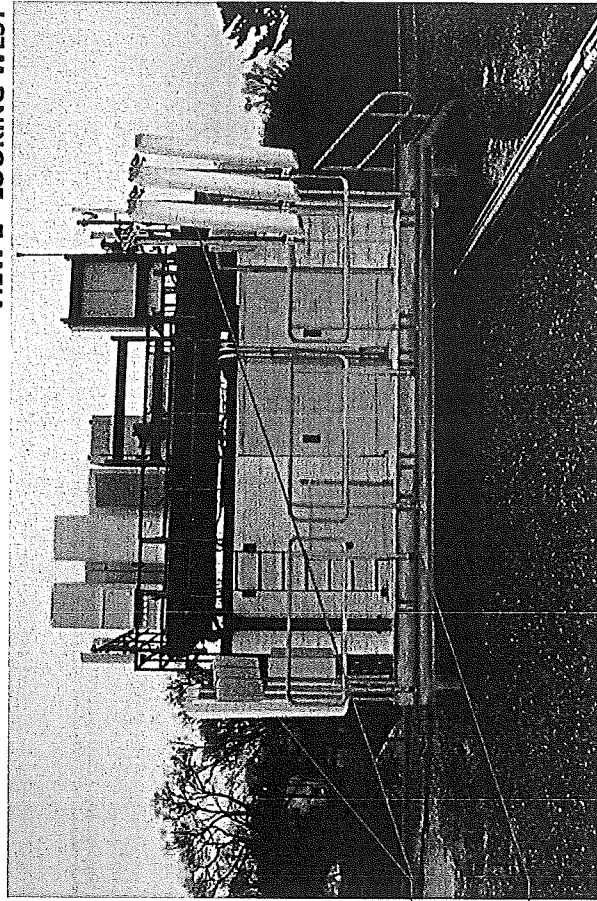
OCT 0 3 2013

Per



EXISTING VIEW 2 -  
LOOKING WEST

PHOTOGRAPHIC SIMULATION -  
VIEW 2 - LOOKING WEST



PROPOSED AT&T  
ANTENNAS

PROPOSED AT&T  
EQUIPMENT PLATFORM

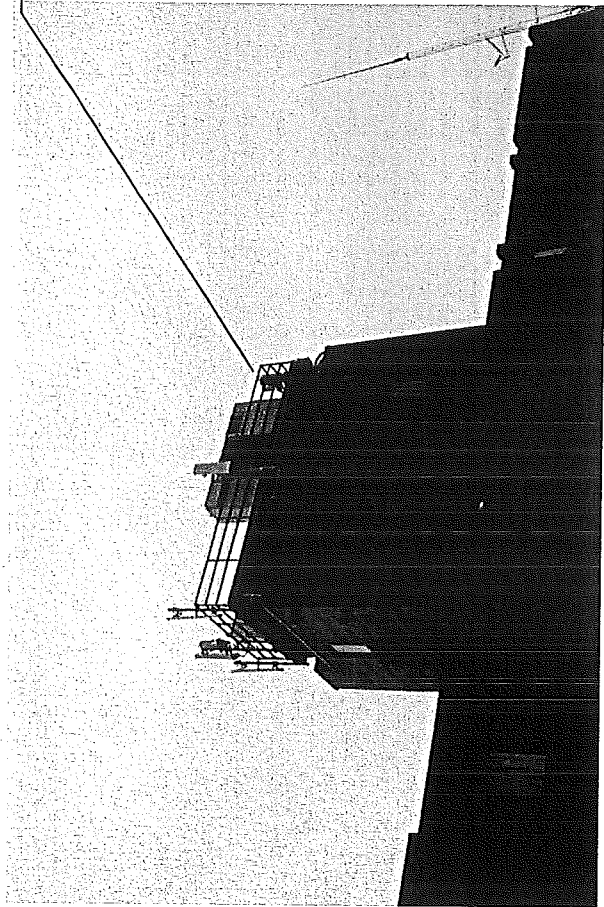


BLACK & VEATCH CORPORATION - 10950 GRANDVIEW DRIVE - BUILDING 34 - OVERLAND PARK, KS 66210 - 913-458-2000

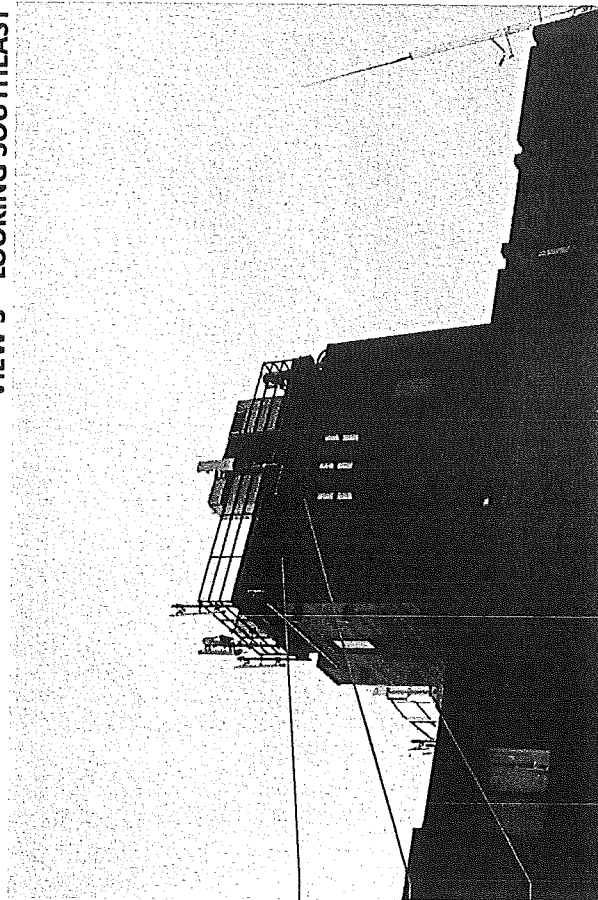
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OCT 0 3 2013

Per \_\_\_\_\_



EXISTING VIEW 3 -  
LOOKING SOUTHEAST

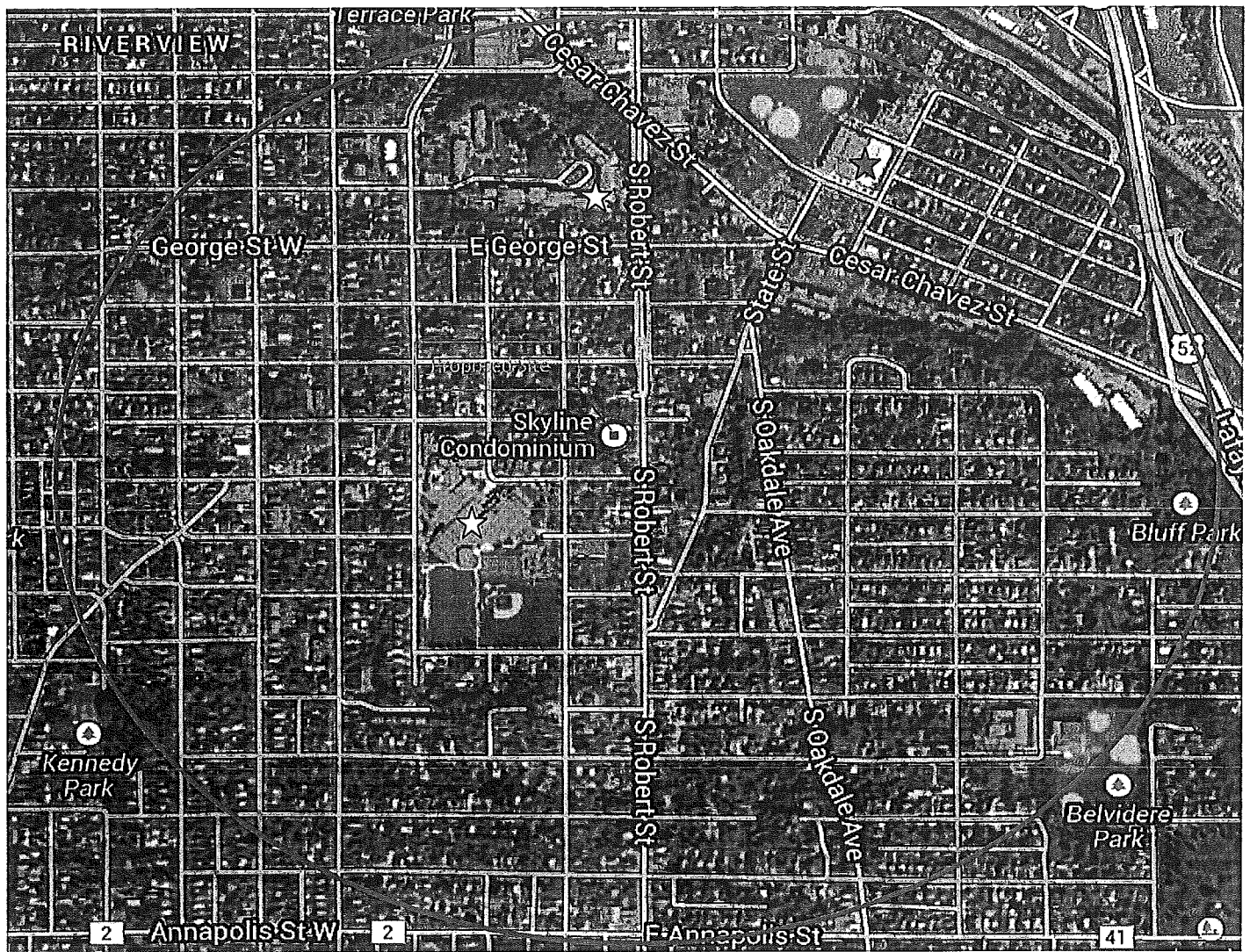


PHOTOGRAPHIC SIMULATION -  
VIEW 3 - LOOKING SOUTHEAST



BLACK & VEATCH CORPORATION - 10950 GRANDVIEW DRIVE - BUILDING 34 - OVERLAND PARK, KS 66210 - 913-458-2000





- ☆ - Building not tall enough approximately 35'. Cannot meet coverage goals.
- ☆ - Elevation 65' lower. To much overlap with other sites. Cannot meet coverage goals.
- ★ - Elevation 120' lower. Cannot meet coverage goals.

RECEIVED

OCT 03 2013

Per \_\_\_\_\_

# SITE PHOTO



## PROJECT INFORMATION

SITE ADDRESS:  
633 SOUTH ROBERT ST.  
ST. PAUL, MN 55104

COUNTY  
RAMSEY

SITE NAME:  
ECFE WEST SIDE

SITE NUMBER  
MPLSMNU3429

FA NUMBER  
12564554

USD NUMBER  
141878

LATITUDE (NAD 83):  
44° 55' 38.62" N

LONGITUDE (NAD 83):  
93° 4' 52.45" W

GROUND ELEVATION:  
865' MSL

ZONING DISTRICT:  
APARTMENT QUAD 40

TOWER OWNER:  
HOUSES AT SKYLINE LLC  
945 GRAND AVE  
ST. PAUL, MN 55105

GROUND OWNER:  
HOUSES AT SKYLINE LLC  
945 GRAND AVE  
ST. PAUL, MN 55105

LANDLORD CONTACT:  
TROPICMTHOTEL.COM

POWER COMPANY:  
XCEL ENERGY

TELEPHONE COMPANY:  
CENTURILINK

OCCUPANCY GROUP:  
RESIDENTIAL

CONSTRUCTION TYPE:  
V-B

SITE ACQUISITION MANAGER:  
TARA BLACKWELL  
651-233-5945  
BLACKWELL1987@COM

CONSTRUCTION MANAGER:  
JUSTIN KESSLER  
651-233-5945  
KESSELAJ@COM

LEAD ENGINEER:  
ARON DAVIS  
652-898-0751  
ENR@GMP.COM

PROJECT MANAGER:  
TARA BLACKWELL

PHONE:  
651-233-5984

APPLICANT:  
-

CONTACT:  
ARON DAVIS

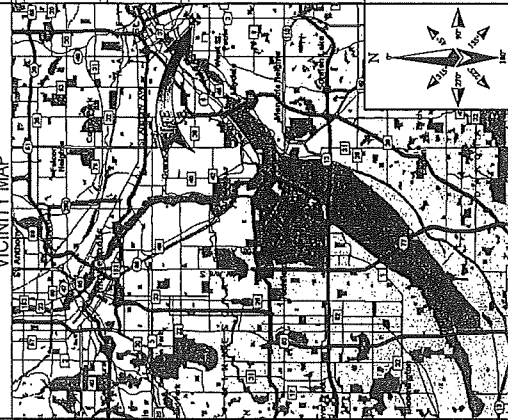
# AT&T MOBILITY

PROJECT: NSB - COLLOCATE, ROOFTOP  
AT&T SITE ID: MPLSMNU3429  
AT&T FA#: 12564554

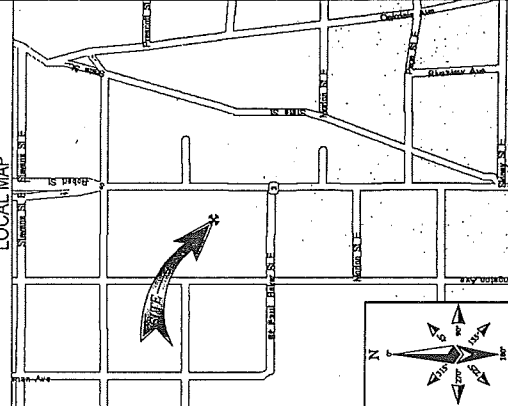
ECFE WEST SIDE  
ST. PAUL, MN 55107

## AREA MAP

### VICINITY MAP



### LOCAL MAP



NO SCALE

## DRIVING DIRECTIONS

DIRECTIONS FROM I-94 & GREECE  
DRIVE SOUTH ON I-94 TO GREECE  
EXIT 67A. TURN RIGHT (EAST) ONTO  
LOCAL ROAD(S). TURN LEFT (NORTH) ONTO SR-5 [S ROBERT TRAIL] AND KEEP STRAIGHT ONTO SR-5 [S ROBERT ST] THE SITE  
WILL BE ON THE LEFT (WEST) SIDE OF THE STREET.

## ENGINEERING

2008 INTERNATIONAL BUILDING CODE  
2008 NATIONAL ELECTRIC CODE  
TIA/EIA-222-F

## DRAWING INDEX

SHEET NO:	SHEET TITLE
ZONING-1	TITLE PAGE
ZONING-2	OVERALL SITE PLAN
ZONING-3	COMPOUND PLAN
ZONING-4	BUILDING ELEVATIONS
ZONING-5	ENCLOSED BUILDING ELEVATION

RECEIVED

OCT 11 2013

Per

## APPLICANT/OWNER:

AT&T  
MOBILITY

4300 MARKET POINTE DR.  
BLOOMINGTON, MN 55435

## PREPARED BY:



**BLACK & VEATCH**  
10850 GRANDVIEW DRIVE  
OVERLAND PARK, KANSAS 66210  
(913) 438-2000  
PROJECT NUMBER: 122051

IF A VENDOR OF AN ANY OTHER  
UNLESS THEY ARE COVERED UNDER THE PROVISIONS  
OF A LICENSED PROFESSIONAL ENGINEER, TO  
THIS DOCUMENT.

## LANDLORD/PROPERTY OWNER SIGNATURE

REV	DATE	DESCRIPTION
1	09/17/13	ISSUED FOR REVIEW
2	09/27/13	ISSUED FOR REVIEW
3	10/01/13	ISSUED FOR REVIEW

## PROJECT LOCATION:

ECFE WEST SIDE  
633 SOUTH ROBERT ST.  
SAINT PAUL, MN 55104

## DRAWING DESCRIPTION:

TITLE PAGE

## DRAWING NUMBER:

ZONING-1



11'x17' PLOT WILL BE HALF SCALE UNLESS OTHERWISE NOTED  
TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES  
BEFORE YOU DIG CALL 811 OR YOUR STATE ONE CALL  
TOLL FREE: 1-800-368-5868  
FAXA LOCATE: 1-800-334-4567

SEE PROJECT MANUAL FOR A MORE DETAILED EXPLANATION OF YOUR RIGHTS

THESE PLANS ARE TO ALL OF THE REQUIREMENTS CALLED OUT IN THE JURISDICTION  
PLANNING AND ZONING FOR ANTENNAS AND SUPPORT STRUCTURES WHERE SITE IS LOCATED.  
THESE PLANS DO NOT CONSTITUTE A GUARANTEE OF ANY KIND. THE ENGINEER ASSUMES NO LIABILITY  
NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO PERFORMING ANY WORK OR BE RESPONSIBLE  
FOR THE SAME



**APPLICANT/OWNER:**

AT&T  
MOBILITY

4300 MARKET POINTE DR.  
BLOOMINGTON, MN 55435

PREPARED BY:



**BLACK & VEATCH**

10950 GRANDVIEW DRIVE  
OVERLAND PARK, KANSAS 66210  
(913) 458-2000

PROJECT NUMBER: 122051

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO

LANDLORD/PROPERTY OWNER SIGNATURE

[illegible]

PROJECT LOCATION:

ECFE WEST SIDE

633 SOUTH ROBERT ST.  
SAINT PAUL, MN 55104

**DRAWING DESCRIPTION:**

COMPOUND PLAN

**DRAWING NUMBER:**

**ZONING-3**

1. PROPOSED ANTENNA RAD CENTER AND AZIMUTHS ARE BASED ON PRELIMINARY RF INFORMATION

RECEIVED

OCT 03 2013

Per

WOOD FENCE

### CHALLENGE

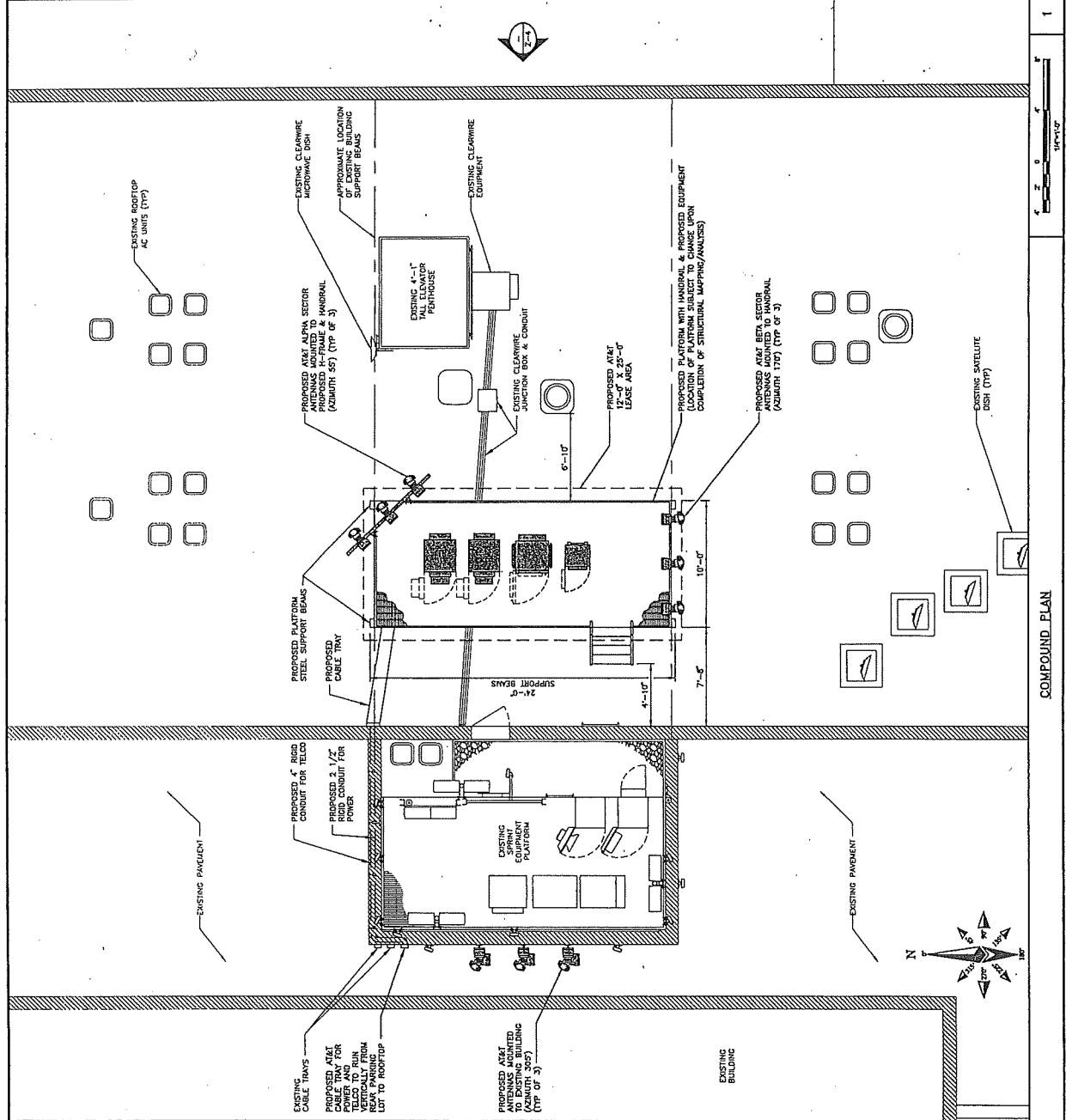
1984

BRANDS: 100

### LEGEND

1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
2. CONTRACTOR SHALL MAINTAIN A 10'-0" MINIMUM SEPARATION BETWEEN THE PROPOSED LTE GPS ANTENNAS AND TRANSMITTING ANTENNAS.
3. PROPERTY LINES ARE APPROXIMATIONS ONLY.
4. ANTENNAS & MOUNTS LIMITED FOR CLARITY.
5. FOR FIBER TRUNK REF X1X2 LTE GUIDE LINES REV. 1.18 PAGE 13 TABLE 2.1.2.
6. FOR DC POWER CABLE TRUNK REF X1X1 LTE GUIDE LINES REV. 1.18 PAGE 14 TABLE 2.1.3.

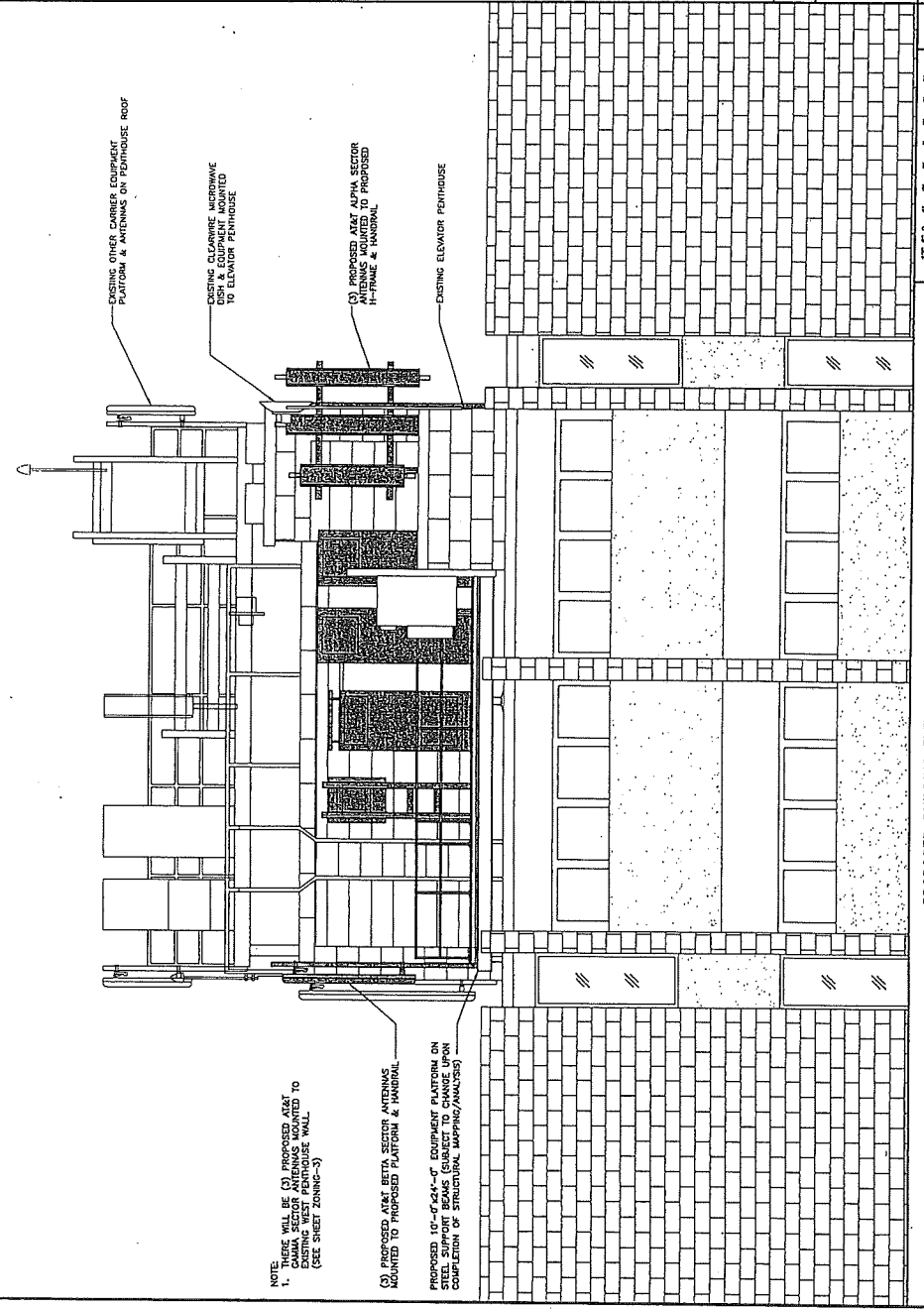
## NOTES





1. PROPOSED ANTENNA RAD CENTER AND ADMITS ARE  
BASED ON PRELIMINARY RF INFORMATION

RECEIVED  
OCT 03 2013  
Per \_\_\_\_\_



PROPOSED BUILDING ELEVATION

1

STRUCTURAL NOTE

THE EXISTING TOWER IS CURRENTLY BEING ANALYZED BY OTHERS TO DETERMINE IF IT IS CAPABLE OF SUPPORTING THE PROPOSED COAX AND ANTENNAS. THESE DRAWINGS HAVE BEEN CREATED BASED ON THE ASSUMPTION THAT THE EXISTING TOWER IS CAPABLE OF SUPPORTING THE PROPOSED COAX AND ANTENNAS. THE ENGINEER HAS NOT PERFORMED A STRUCTURAL ANALYSIS OF THE TOWER. INSTALLATION OF THE COAX AND ANTENNAS SHALL COMMENCE WITHIN 30 DAYS OF THE DATE OF THE ISSUANCE OF THESE DRAWINGS. THE OWNER OR A/E/T HAS REVIEWED AND APPROVED A STRUCTURAL ANALYSIS BY THE DESIGN ENGINEER.

NOTES

DRAWING DESCRIPTION:  
ENLARGED BUILDING  
ELEVATION

DRAWING NUMBER:  
**ZONING-5**

PROJECT LOCATION:  
ECFE WEST SIDE  
633 SOUTH ROBERT ST.  
SAINT PAUL, MN 55104

REV	DATE	DESCRIPTION
B	06/12/13	ISSUED FOR RFP
A	06/27/13	ISSUED FOR RFP

LANDLORD/OWNER SIGNATURE

IT IS THE POLICY OF BLACK & VEATCH, INC. TO EMPLOY ONLY LICENSED PROFESSIONAL ENGINEERS, TO THE EXTENT OF THE PROJECT'S REQUIREMENTS.

PROJECT NUMBER: 122051

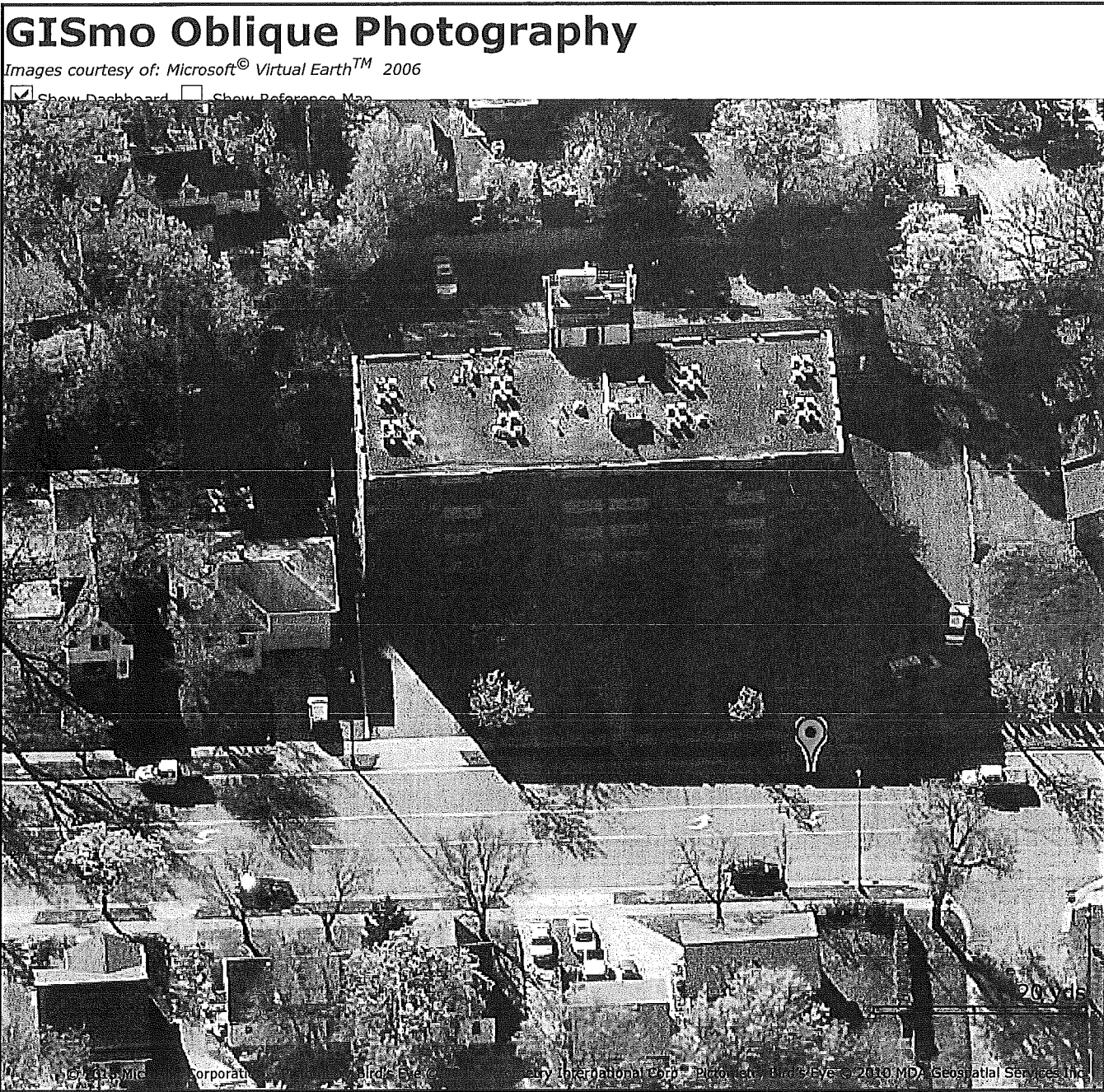
**BLACK & VEATCH**  
10550 GRANDVIEW BLVD.  
OVERLAND PARK, KANSAS 66210  
(913) 456-2000

PREPARED BY:

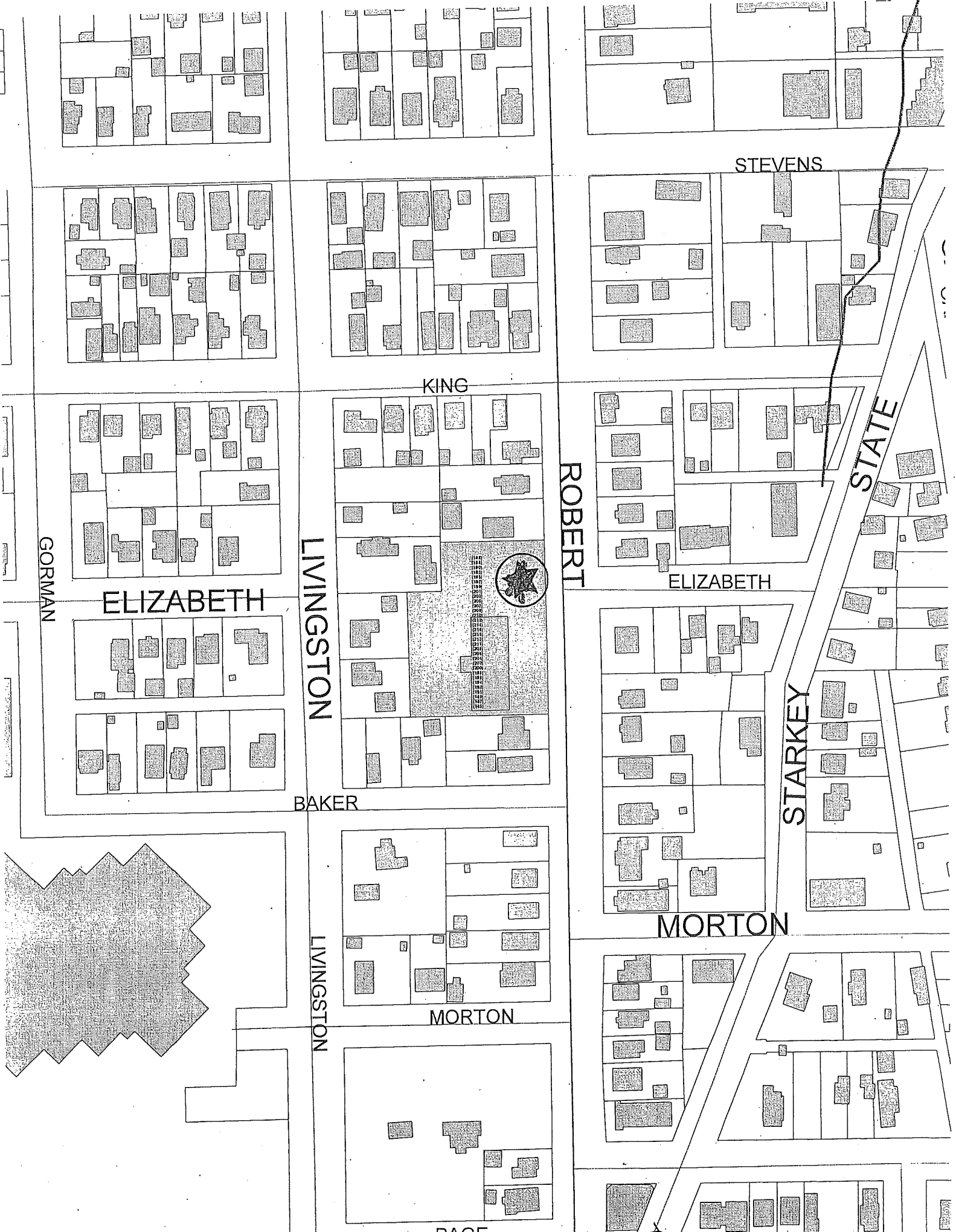
APPLICANT/OWNER:  
**AT&T  
MOBILITY**  
4300 MARKET POINTE DR.  
BLOOMINGTON, MN 55435











STEVENS

KING

ROBERT

STATE

ELIZABETH

ELIZABETH

GORMAN

LIVINGSTON

BAKER

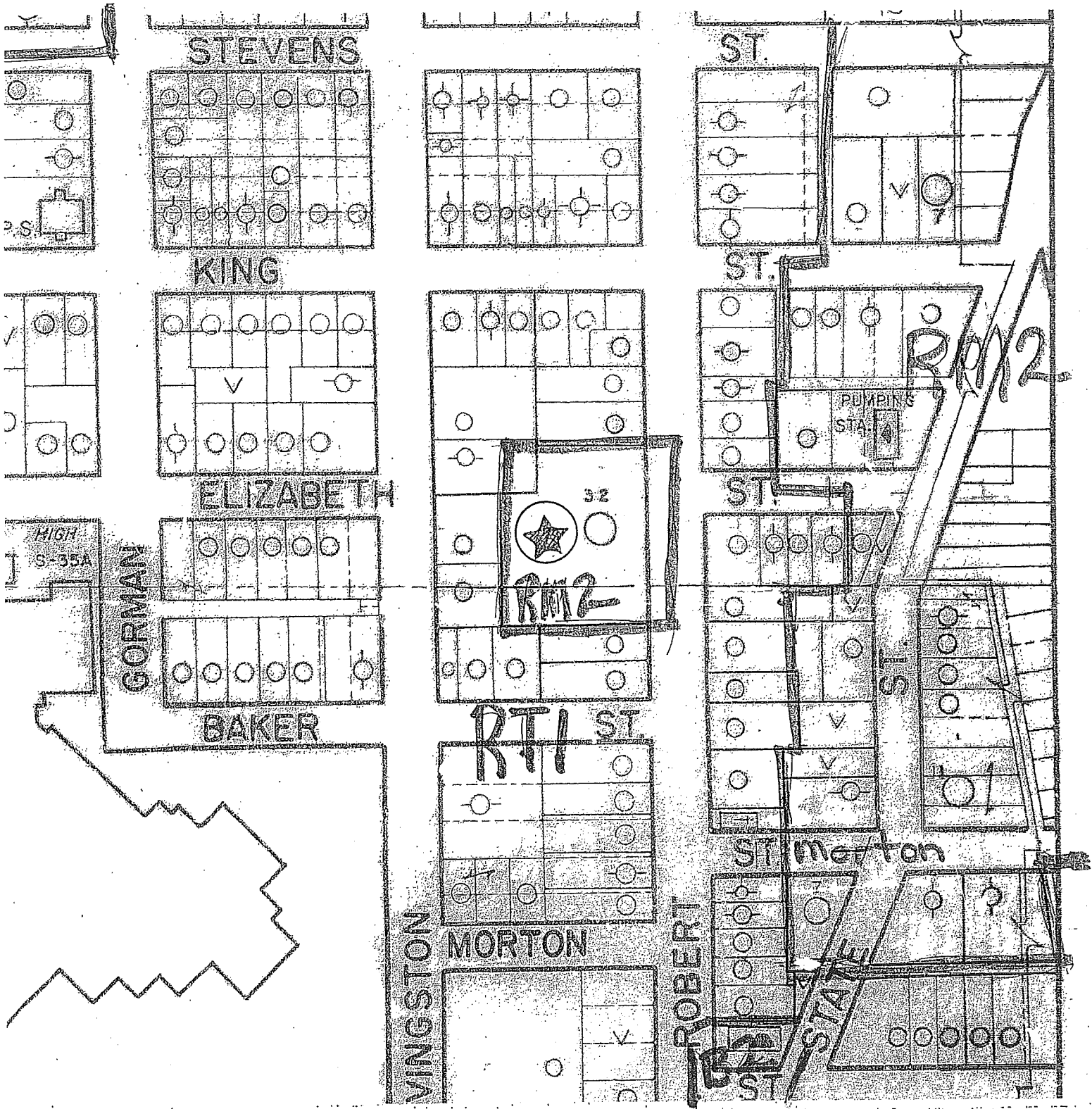
STARKEY

MORTON

MORTON

LIVINGSTON

PAGE



APPLICANT At+T  
 PURPOSE Conditional Use Permit  
 FILE # \_\_\_\_\_ DATE 9-30-13  
 PLNG. DIST 3 Land Use Map # 37  
 Zoning Map # 22  
 MAP 11-16-11

#### LEGEND

zoning district boundary

subject property

one family  
 two family  
 multiple family

commercial  
 industrial  
 vacant



## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Brett Ripley **FILE #** 13-240-134
  2. **APPLICANT:** Brett Ripley **HEARING DATE:** October 24, 2013
  3. **TYPE OF APPLICATION:** Nonconforming Use Permit-Reestablishment
  4. **LOCATION:** 1685 Taylor Ave, between Aldine and Charlotte
  5. **PIN & LEGAL DESCRIPTION:** 282923410037; College Place Taylors Division Ex W 37 Ft Lot 10 And All Of Lot 9 Blk 3
  6. **PLANNING DISTRICT:** 11
  7. **ZONING CODE REFERENCE:** §62.109(e) **PRESENT ZONING:** R4
  8. **STAFF REPORT DATE:** October 17, 2013 **BY:** Jamie Radel
  9. **DATE RECEIVED:** September 26, 2013 **60-DAY DEADLINE FOR ACTION:** November 25, 2013
- 

- A. **PURPOSE:** Reestablishment of nonconforming use as a four-plex
- B. **PARCEL SIZE:** 8,250 sq. ft.
- C. **EXISTING LAND USE:** Residential-Three/Four Family
- D. **SURROUNDING LAND USE:**
  - North: Single-family residential
  - East: Single-family residential
  - South: Single-family residential
  - West: Duplex
- E. **ZONING CODE CITATION:** §62.109(e) lists the conditions under which the Planning Commission may grant a permit to reestablish a nonconforming use.
- F. **HISTORY/DISCUSSION:** According to a review of Ramsey County's property records this building was constructed in 1890 as a three-plex. The date this building converted from a three-plex to a four-plex could not be determined through a review of the historical records. However, it was listed as a four-plex in the 1975 Polk Directory and the DSI has record of certificates of occupancy for a four-plex between 1993 and 2006. After 2006, the building received certificates of occupancy for three units. The applicant has indicated that the previous property owner commenced using both the first and second floor as one living unit and continued to rent the third-floor and basement units. A letter dated July 29, 2011, from the City's Fire Inspection Unit to the previous property owner confirm that Unit 1 and Unit 2 (first floor and second floor) were converted into one unit and informs the property owner of the changes that need to be made to these floors to be in compliance with the zoning ordinance. The applicant purchased the property in late August 2012.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District Council 11 has not taken a position on this issue.
- H. **FINDINGS:**
  1. Section 62.109(e) states: *When legal nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of more than one (1) year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
    - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is not met. The property has a legal nonconforming status that allows it to be used reasonably and economically as a three-unit building. Under this status, this property has a positive cash-flow according to the pro forma submitted by the applicant. (The applicant

lives in one of the units and has attributed a proportionate share of income and expenses to this unit.)

- (2) *The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use.* This finding is met. A four-plex is equally appropriate in this zoning district as this use did when the property had certificates of occupancy as a four-plex. This building is legally nonconforming as a three-plex.
- (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. This structure was used as a four-plex for at least 25 years. There will be no expansions or changes to the existing structure to accommodate the additional unit as it already exists within the building. The site has a three-car garage and two paved off-street parking spaces. The neighborhood is primarily composed of single-family homes, but does include duplexes and three-plexes.
- (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. This property has a future land use designation of Established Neighborhood, which is described as a "predominately residential area with a range of housing types. Single family houses and duplexes predominate, although there may be smaller scale multifamily housing scattered within these neighborhoods." The Hamline-Midway Community Plan advocates for "the development of alternatives to single-family housing throughout the neighborhood as opportunities arise."
- (5) *A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on October 10, 2013: 16 parcels eligible; 11 parcels required; 11 parcels signed.

- I. **STAFF RECOMMENDATION:** Based on finding 1 above, staff recommends denial of the reestablishment of nonconforming use as a four-plex at 1685 Taylor Avenue.



**NONCONFORMING USE PERMIT APPLICATION**  
Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning Office Use Only

File #: \_\_\_\_\_

Fee: \_\_\_\_\_

Tentative Hearing Date: \_\_\_\_\_

PD=11

#282923410037

**APPLICANT**

Name Brett Ripley  
Address 1685 Taylor Ave.  
City St. Paul St. MN Zip 55104 Daytime Phone 218-329-7759  
Name of Owner (if different) \_\_\_\_\_  
Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address/Location 1685 Taylor Ave., St. Paul, MN 55104  
Legal Description College Place Taylor's Division Ex. W. 37 Ft Lot 10  
and all of Lot 9 Blk 3 Current Zoning R4  
(attach additional sheet if necessary)

**TYPE OF PERMIT:** Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for: ☐ Change from one nonconforming use to another (para. c)  
☒ Re-establishment of a nonconforming use vacant for more than one year (para. e)  
☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)  
☐ Enlargement of a nonconforming use (para. d)

**SUPPORTING INFORMATION:** Supply the information that is applicable to your type of permit.

Present/Past Use 3 units

Proposed Use 4 units

Attach additional sheets if necessary

**RECEIVED**

**SEP 26 2013**

Per \_\_\_\_\_

Attachments as required ☒ Site Plan

☒ Consent Petition

☒ Affidavit

Applicant's Signature [Signature] Date 9-26-13 City Agent [Signature]

**PRO-FORMA INFORMATION SHEET  
FOR DUPLEX AND TRIPLEX CONVERSION CASES  
Continuation of Extra Units**

Required Information	With Continuation of Extra Units in Structure (4)	With Conversion of Structure to Legal Number of Units (3)
<b>Income</b>		
Total monthly rent income for all units	3225	2625
Monthly income from structure other than rent	525	450
Existing vacancy (if any)	Basement	None
Effective gross income (EGI) / month <sup>1</sup>	\$ 3750 -	\$ 3075 -
Effective Gross Income / year	\$ 45,000 -	\$ 36,900 -
<b>Operating Expenses (Annual) <sup>2</sup></b>	\$ 11,750 -	\$ 10,500 -
Maintenance	8300	7100
Insurance	450	450
Utilities (only include amount paid by landlord)	600	450
Other (Identify)	2100	2100
Taxes	300	300
<b>Net Operating Income (Annual) <sup>3</sup></b>	\$ 33,250 -	\$ 26,400 -
Monthly debt / mortgage payment	1062	1062
<b>Annual debt payment</b>	\$ 12,750 -	\$ 12,750 -
<b>Rehab projects</b>	~	~
Total cost of improvements	15,000	10,800
Monthly rehab debt payment	0	0
<b>Annual rehab debt payment</b>	\$ 0 -	\$ 0 -
<b>Cash Flow: profit, (loss) <sup>4</sup></b>	\$ 20,500 -	\$ 13,650 -

Figured 15% increase

Figured 33% increase

- NOTE: 1. Effective Gross Income = (Total rent income) - (Vacancy, if there is any)  
 2. Operating expenses are the sum of the next five lines, incl maintenance, insurance, utilities, taxes and others  
 3. Net Operating Income = (Effective Gross Income) - (Operating Expenses)  
 4. Cash Flow = (Net Operating Income) - (Annual debt payments)

# **SUMMARY INFORMATION SHEET FOR DUPLEX AND TRIPLEX COVERSON CASES**

Housing unit breakdown:	Existing	Proposed
Number of units	3	4
Number of bedrooms in each unit		
Unit 1	2	
Unit 2	2	
Unit 3	2	
Unit 4	1	
Size of each unit in square feet		
Unit 1	1250	
Unit 2	1150	
Unit 3	600	
Unit 4	500	
<b>Debt:</b>		
Initial principal amount	229,000	
Initial interest rate	3.75%	
Term of mortgage/debt financing	30 yrs	
Time remaining on note	29 yrs	
Balance on existing debt	225,000	
<b>Rehabilitation</b>		
Type of improvements:		
Done		
Updated Bathroom in unit 3		
Separated Garage		
New Furnace		
Many more (smaller)		
Upcoming		
Splitting Utilities		
Flooring in lower unit		

# ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

## FIRST SUBMITTED

## RESUBMITTED

DATE PETITION SUBMITTED: 9-26-13

DATE PETITION RESUBMITTED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: 10-10-13

PARCELS ELIGIBLE: 16

PARCELS ELIGIBLE: 16

PARCELS REQUIRED: 11

PARCELS REQUIRED: 11

PARCELS SIGNED: 10

PARCELS SIGNED: 11

CHECKED BY: Paul Dubruic DATE: 10-10-13



# CITY OF SAINT PAUL

## CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of Brett Ripley,  
(name of applicant)

to establish a 4-unit building,  
(proposed use)

located at 1685 Taylor Ave.,  
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
1679 TAYLOR	RICHARD NOLAN	Richard Nolan	08-16-13
1683 Taylor Ave	Robert Nolan	Robert Nolan	08-16-13
904 Aldine	Jason & Jeff Simick	Jason & Jeff Simick	8-21-2013
1689 Taylor	Carol & David Hill	Carol Hill	8/21/13
1692 Taylor	Nancy Wood	Nancy Wood	8/21/13
1682 Taylor	Stephanie D. Dyer	Stephanie Dyer	8/21/13
405 Charlotte	Lieng Lun	Lieng Lun	8/21/13
1688 Taylor	Salina Khalek	Salina Khalek	8/21/13
1672 Taylor	Steve Tschida	Steve Tschida	8-24-13
1693 Taylor	Carol Wilke	Carol Wilke	8/21/13
1697 Taylor	Carl D. Nelson	Carl D. Nelson	9/4/13
1685 Taylor	Brett Ripley	Brett Ripley	9/13/13

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.



CITY OF SAINT PAUL  
*Christopher B. Coleman, Mayor*

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-8951  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

July 29, 2011

SCOTT HUESTIS  
2147 UNIVERSITY AVE W  
ST PAUL MN 55114-1313

### FIRE INSPECTION CORRECTION NOTICE

RE: 1685 TAYLOR AVE  
Ref. #16008  
Residential Class: C

Dear Property Representative:

Your building was inspected on July 29, 2011 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date. **A re-inspection will be made after September 15, 2011.**

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

**YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.**

#### DEFICIENCY LIST

1. Basement - Dryer - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work may require a permit(s). Call DSI at (651) 266-8989.
2. Basement - MSFC 703 - Provide, repair or replace the fire rated door and assembly.- Repair and maintain the door closer and latch on both doors to utility rooms.
3. Basement Unit - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair and maintain ceiling in unit in an approved manner.

An Equal Opportunity Employer

4. Rear Entryway - MSFC 703 - Repair and maintain the required fire resistive construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Patch wall and underneath stairway in an approved manner.
5. Throughout - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.
6. Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work will require a permit(s). Call DSI at (651) 266-8989.-Repair all incorrectly wired receptacles throughout the building. Multiple 3-prong receptacles have open ground connection. Reversed polarity at other receptacles.
7. Throughout - NEC 410-8 (b) (1) Provide for the incandescent light fixtures in closets to have a completely enclosed lamp.-This work may require a permit. Contact DSI at (651) 266-8989.
8. Throughout - MSFC 1008.1.8.4 - Bolt Locks - Manually operated flush bolts or surface bolts are not permitted. - Remove slide bolt locks.
9. Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair windows as needed so that all double-hung windows throughout the building are easily openable without excessive effort. At least one window in each bedroom must easily open to a full height of 24 inches or greater to meet egress requirements.
10. Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Repair all smoke detectors throughout the building as needed where giving low battery sign or where non-working.
11. Unit 1 - 1st Floor - Bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Replace GFCI outlet with non-working breaker.
12. Unit 1 - 1st Floor - Side Bedroom - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651)- 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.-

Existing casement window does not meet glazed area requirement. Window has an openable and glazed area of 21 inches wide by 28 inches high, 4.1 square feet.

13. Unit 1 - 2nd Floor - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair non-metallic cable (Romex) run along floor exposed across doorway by kitchen.

14. Unit 1 - 2nd Floor - Kitchen - MFGC 404.12 - Provide leak tight caps or plugs on disconnected or unused gas lines.
15. Unit 1 - 2nd Floor - Rear Door - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock. -Deadbolt locks are required on all unit doors leading to exterior or to common area.
16. Unit 3 - 2 Bedrooms - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651)- 266-9090.

Front Bedroom: Double-hung window has an openable area of 16 inches high by 33.5 inches wide and a glazed area of 36 inches high by 33.5 inches wide, 8.4 square feet.

Side Bedroom: Casement window has an openable area of 37.5 inches high by 17 inches wide and a glazed area of 37.5 inches high by 20.5 inches wide, 5.3 square feet.

17. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
18. SPLC 39.02(c) - Complete and sign the smoke detector affidavit available on website and return it to this office.
19. SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use.-  
Discontinue use of property was four (4) units and convert to legal occupancy of three (3) units in accordance with all Zoning Dept. requirements.  
This includes:
  - Remove deadbolt and keyed lock from doorway between 1st floor and 2nd floor in Unit 1.
  - Completely remove 2nd kitchen from Unit 1 including sink, cabinets, countertops and appliances.
  - Cap gas line, plumbing lines, and drain line from de-converted kitchen under any necessary DSI permit(s). Contact DSI at (651) 266-8989 for permits.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [mitchell.imbertson@ci.stpaul.mn.us](mailto:mitchell.imbertson@ci.stpaul.mn.us) or call me at 651-266-8986 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

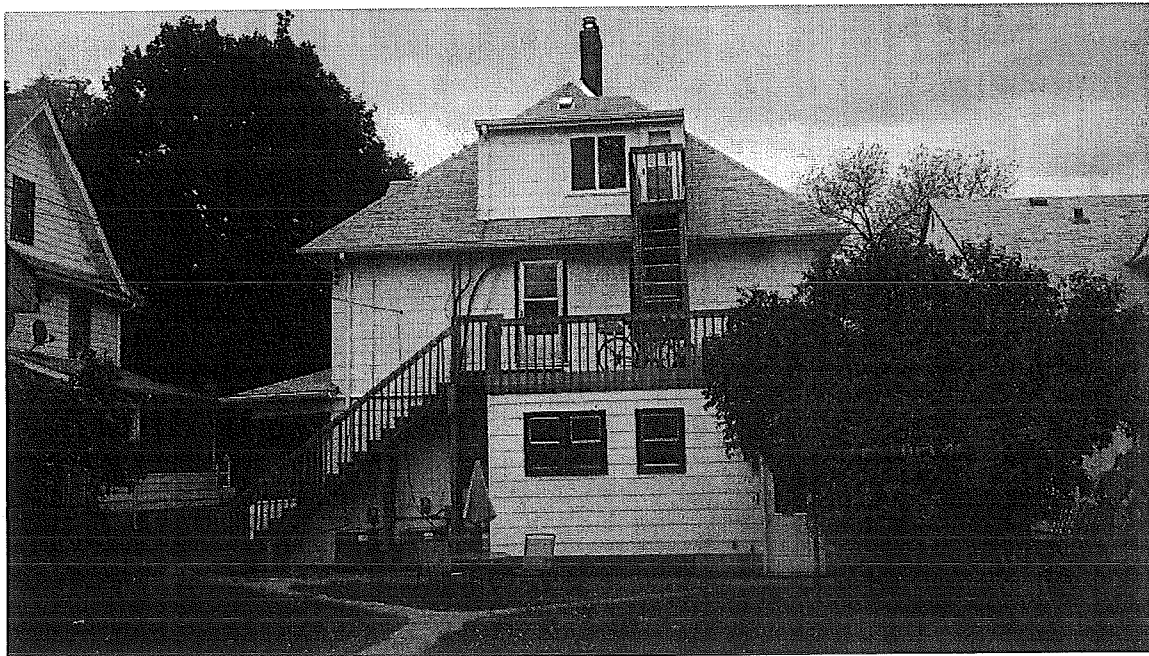
Mitchell Imbertson  
Fire Inspection

Reference Number 16008

## 1685 Taylor—Reestablishment of a Nonconforming Use



Front of subject property



Back of subject property





Garage and parking area subject property

# GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

☒ Show Dashboard ☒ Show Reference Map







**CITY OF SAINT PAUL**  
Christopher B. Coleman, Mayor

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-228-3220

DATE: October 25, 2013  
TO: Planning Commission  
FROM: Zoning Committee  
SUBJECT: Results of October 24, 2013, Zoning Committee Hearing

**NEW BUSINESS**

1. **Feline Rescue Inc ( 13-239-519 )**  
Change of nonconforming use from elevator service with workshop to office/meeting and storage with a cat intake room and sick cat isolation rooms.

**Address:** 600 Fairview Ave N  
NE corner at Thomas

**District Comment:** District 11 recommended approval

**Support:** 0 people spoke, 1 letter

**Opposition:** 0 people spoke, 0 letters

**Hearing:** Hearing is closed

**Motion:** Approval

<u>Staff</u>	<u>Recommendation</u>	<u>Committee</u>
Approval with a condition		Approval ( 6 - 0 )

2. **David and Robin Brown ( 13-235-708 )**  
Reestablishment of nonconforming use as a duplex

**Address:** 1685 Lincoln Ave  
NE corner at Cambridge

**District Comment:** District 14 recommended approval

**Support:** 0 people spoke, 3 letters

**Opposition:** 0 people spoke, 0 letters

**Hearing:** Hearing is closed

**Motion:** Approval with a condition

<u>Staff</u>	<u>Recommendation</u>	<u>Committee</u>
Approval with a condition		Approval with a condition ( 6 - 0 )

		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
3.	<b>O'Reilly Automotive Stores Inc ( 13-236-068 )</b> Rezone from VP Vehicular Parking to B2 Community Business District  <b>Address:</b> 1653 - 1659 Huron St between Larpenteur and Idaho Ave W  <b>District Comment:</b> District 10 recommended approval with conditions  <b>Support:</b> 0 people spoke, 2 letters  <b>Opposition:</b> 0 people spoke, 0 letters  <b>Hearing:</b> Hearing is closed  <b>Motion:</b> Approval	Approval	Approval ( 6 - 0 )
4.	<b>AT &amp; T (Skyline Building) ( 13-239-537 )</b> Conditional use permit to install 9 cell antennas  <b>Address:</b> 633 Robert St S between King and Baker  <b>District Comment:</b> District 3 recommended approval  <b>Support:</b> 0 people spoke, 1 letter  <b>Opposition:</b> 0 people spoke, 0 letters  <b>Hearing:</b> Hearing is closed  <b>Motion:</b> Approval	Approval	Approval ( 6 - 0 )
5.	<b>Brett Ripley ( 13-240-134 )</b> Reestablishment of nonconforming use as a 4 plex  <b>Address:</b> 1685 Taylor Ave between Aldine and Charlotte  <b>District Comment:</b> District 11 made no recommendation  <b>Support:</b> 0 people spoke, 2 letters  <b>Opposition:</b> 0 people spoke, 2 letters  <b>Hearing:</b> Hearing is closed  <b>Motion:</b> Laid over to November 7, 2013	Denial	Laid Over ( 6 - 0 )

city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Feline Rescue Inc, File # 13-239-519, has applied for a change of nonconforming use from elevator service with workshop to office/meeting and storage with a cat intake room and sick cat isolation rooms under the provisions of §62.109(c) of the Saint Paul Legislative Code, on property located at 600 Fairview Ave N, Parcel Identification Number (PIN) 332923120213, legally described as Maywood And Addition To The C Lot 11 Blk 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 24, 2013, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The application requests approval to change the nonconforming use from elevator service with workshop to office/meeting and storage with a cat intake room and sick cat isolation rooms. The subject site is not proposed to be open to the public except for a potential spay/neuter program that would use a garage space two days per month. No expansion of the building is proposed.
2. The previous business most closely resembles the Zoning Code use of a service business with workshop, which is first permitted in the T2 Traditional Neighborhood zoning district. The proposed use resembles either a veterinary clinic, which is first permitted in T2, or administrative office with accessory storage, which is first permitted in T1.
3. The applicant operates a shelter/adoption center across the street at 593 N. Fairview Avenue. The 593 facility will continue to be where adoptions are processed and where cats are held after their intake and isolation periods, which generally takes two to four weeks. 593 will continue to be the main facility accessed by the public. 593's public hours are currently 10 a.m. to noon and 6 p.m to 8 p.m. Monday through Friday, and 10 a.m. to 2 p.m. Saturday and Sunday.
4. Section 62.109(c) states: *The planning commission may allow a nonconforming use to change to a use permitted in the district in which the nonconforming use is first allowed, or a use permitted in a district that is more restrictive than the district in which the nonconforming use is first allowed, if the commission makes the following findings:*

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_



- a. *The proposed use is equally appropriate or more appropriate to the neighborhood than the existing nonconforming use.* This finding is met. According to the application, the previous elevator service and workshop business was open 7 a.m. to 6 p.m. Monday through Friday, with occasional weekend hours. The business had 45 employees and 35 service trucks, though other than Tuesday morning when the full crew came to the building generally only 14 employees were present. The proposed use is open later into the evening, but has fewer employees (8 to 12 volunteers anticipated at this site at a time) and is open for fewer hours. The cats will be kept indoors. The previous workshop use, which could have potentially generated noise issues via any on-site elevator equipment repairs, has been eliminated.
- b. *The traffic generated by the proposed use is similar to that generated by the existing nonconforming use.* This finding is met. The proposed use is anticipated to generate similar or lesser traffic than the previous use. The potential spray/neuter program proposed for the subject site involves 30 to 40 cats are treated per program day (two program days per month), though many of the cats will already be located at the 593 Fairview site and will not generate traffic. The other functions of the proposed use will generate less traffic due to a reduction of approximately 33 employees and elimination of 35 service trucks. Besides the spay/neuter program, there is no proposed public use of the building.
- c. *The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The subject site has had non-residential uses since at least 1933. The surrounding area is mostly industrial uses.
- d. *The use is consistent with the comprehensive plan.* This finding is met. The Comprehensive Plan designates the site as part of a Mixed Use Corridor, which calls for a range of uses including commercial office uses such as proposed. The Fairview Station Area Plan designates the site as part of a Sensitive Neighborhood Infill area, which has no provisions relating to existing non-residential development.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Feline Rescue Inc for a change of nonconforming use from elevator service with workshop to office/meeting and storage with a cat intake room and sick cat isolation rooms at 600 Fairview Ave N is hereby approved.



October 18, 2013

Chair Gaius Nelson  
1400 City Hall Annex  
25 Fourth Street W  
Saint Paul, MN 55102

Dear Chair Nelson and Commissioners:

The Midway Chamber of Commerce, representing more than 300 businesses in Saint Paul, is pleased to write this letter of support in regards to the application for a change of non-confirming use at 600 Fairview Avenue North for Feline Rescue Inc.

Feline Rescue has been operating for over 15 years and is led by a dedicated staff of volunteers. They are a vibrant asset to the Saint Paul non-profit community and the Midway Chamber of Commerce believes they will continue to provide quality community service and animal education through the expansion of this additional facility.

The Midway Chamber of Commerce encourages your support of Feline Rescue, Inc. and their application request.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Johnson".

Steve Johnson  
Board Chair  
Midway Chamber of Commerce

A handwritten signature in black ink, appearing to read "Kari Canfield".

Kari Canfield  
President/Executive Director  
Midway Chamber of Commerce



Feline Rescue, Inc.  
593 Fairview Avenue  
Saint Paul, MN 55104  
[feline rescue.org](http://feline rescue.org)

October 11, 2013

Dear Neighbor,

Maybe you've driven past our home and wondered about all the cats you see in the windows. If you don't know about us yet, let us explain a little about what we do.

We're a no-kill, all volunteer cat rescue organization established in 1997. We're funded exclusively through donations and grants and receive NO municipal, state, or federal funding. The building you've seen is our adoption center. Approximately 65 cats stay there until they are adopted into loving, forever homes. We also offer foster care for kittens and nursing mothers and cats with special medical needs as well as offering outreach programs geared to help spay and neuter cats in the community and to ensure good quality of life for all cats. All told, last year we helped find loving homes for nearly 500 cats and help arrange for the spay/neuter of 250 more. Each year our programs grow and we struggle to make things work in our increasingly cramped space.

Like us, you probably noticed the FOR SALE sign at the corner of Fairview and Thomas Avenue. Until recently, this building housed Eagle Elevators whose 45 employees and 35 service trucks provided service to their customers 7 days a week.

**We would like your support to purchase the building at 600 Fairview Avenue to help us better serve cats in the Twin Cities area. Here is how we plan to use the space.**

- Isolation and infirmary areas to assess and treat cats until they can be moved to the 593 Adoption Center.
- Garage in back of building used for twice monthly spay/neuter operations. Minnesota Spay Neuter Assistance Program (MNSNAP), uses our facility as a base to provide low cost spays and neuters for cats. The surgeries are done in the van, and the cats are kept in the garage before and after the surgeries until their owners can pick them up.
- Loading dock area for sorting and storing donations
- Meeting rooms and storage for all of our programs.

Although we would be using the building 7 days a week like the previous owners, we expect the traffic from our volunteers to be substantially less and most would be using our parking lot at the 593 building.

We believe we've been good neighbors and would like the opportunity to grow with your help. If you have any questions or concerns, contact Randi at (651) 642-5900. Please leave your name and number and she'll return your call.

Thank you.

Feline Rescue's Board of Directors

city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Mr. David Brown, File # 13-235-708, has applied for a reestablishment of nonconforming use as a duplex under the provisions of § 62.109(e) of the Saint Paul Legislative Code, on property located at 1685 Lincoln Ave, Parcel Identification Number (PIN) 042823410033, legally described as Haags Subdivision Lot 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 24, 2013, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The Planning Commission has established guidelines for applications for nonconforming use permits for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:
  - A. *Lot size of at least 5,000 square feet with a lot width or front footage of 40 feet.* This finding is met. The lot size is approximately 7,463 square feet and the lot frontage is approximately 50 feet.
  - B. *Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet.* This condition is met. According to measurements provided by the applicant, each unit is approximately 1,700 square feet. The combined gross living area is 3,400 square feet.
  - C. *Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.* This condition is met. Each unit has a one car garage.
  - D. *All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)* This condition is met. Other than exterior finishing all remodeling work will take place inside the structure.
  - E. *For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire*

moved by \_\_\_\_\_

seconded by \_\_\_\_\_

in favor \_\_\_\_\_

against \_\_\_\_\_

*structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution. This condition can be met. The applicant will work with the Department of Safety and Inspections to obtain the necessary code compliance documentation and permits.*

2. Section 62.109(e) states: *When a legal nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of more than one year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. According to city records the building was constructed as a two unit structure and information provided by the applicant shows that it is currently configured as a duplex. Due to the configuration of the structure, conversion to a conforming single family use would be unreasonable. The continued use as a duplex is a reasonable use of this property.
  - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use.* This finding is met. The proposed use as a duplex is equally appropriate to the previous use as a duplex.
  - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The proposed use as a duplex will not be detrimental to the safety, welfare or existing character of development in the immediate neighborhood. This proposal reestablishes the historic nature of a duplex that has been part of the character of the surrounding neighborhood for over 80 years.
  - (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The Housing Chapter of the Comprehensive Plan supports an increase in housing choice (strategy H1.1) across the city to support economically diverse neighborhoods. The project meets two goals of the Macalester-Groveland Community Plan: (7) Maintain and preserve the district's current housing stock, and (11) Monitor housing conditions and address deferred maintenance of the district's aging housing stock through providing incentives for home improvement activities. The Community Plan also contains a goal to (8) Maintain the single family character of the district, however both the District Council and supportive neighbors consider the rehabbed duplex a positive improvement to the neighborhood that fits with its historic character.
  - (5) *A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on September 25, 2013: 13 parcels eligible; 9 parcels required; 12 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Mr. David Brown for a reestablishment of nonconforming use as a duplex at 1685 Lincoln Ave is hereby approved, subject to the condition that the applicant adhere to all applicable code requirements and receives a certificate of occupancy for a two-unit building by November 1, 2014.

city of saint paul  
planning commission resolution  
file number \_\_\_\_\_  
date \_\_\_\_\_

WHEREAS, O'Reilly Auto Parts, File # 13-236-068, has applied to rezone from VP Vehicular Parking to B2 Community Business District under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 1653-1659 Huron Street, Parcel Identification Number (PIN) 222923120002, 222923120003, and 222923120004, legally described as Chelsea Heights Lot 4, 5, and 6 Blk 3; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 24, 2013, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant has requested that the zoning on 1653-1659 Huron Street be changed from VP Vehicular Parking to B2 Community Business. The applicant owns the parcel to the north, which is zoned B2 Community, and would like to redevelop the three subject lots consistent with the B2 district. The subject parcels have been part of a commercial use for at least 40 years and, to allow for more flexibility in site design.
2. The proposed zoning is consistent with the adjacent B2 zoning and the way this area has developed.
3. The proposed zoning is consistent with the Comprehensive Plan future land use designation of Existing Neighborhood. Policy LU-1.7 states: "Permit neighborhood serving businesses compatible with the character of the Established Neighborhoods [future land use category]." Discussion of this policy says: "the use should occur at the intersection of two streets, either arterials or collectors, located on a transit route where commercial development currently exists." The subject parcels are part of an existing B2 commercial district at the intersection of Larpenteur and Hamline Avenues. Larpenteur is an arterial with a bus route, and Hamline is a collector.
4. The proposed zoning is compatible with existing uses along Larpenteur Avenue, including a multi-family residential complex to the east and a small drive-up restaurant to the west. This property has been in commercial use for at least 40 years and this rezoning makes it no less compatible with the adjacent single-family attached and single-family detached homes to the south. District Council 10 has requested four conditions to mitigate any negative impacts to the neighborhoods. This has been forwarded to the Department of Safety and Inspections to review as part their site plan review process.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of O'Reilly Auto Parts to rezone from VP Vehicular Parking to B2 Community Business District for property at 1653-1659 Huron Street be approved.

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_



2F # 13-236-068  
O'Reilly

October 21, 2013

Planning and Economic Development Commission  
City of St. Paul  
1400 City Hall Annex  
25 West Fourth St.  
St. Paul, MN 55102-1634

RE: Comment on Rezone Request by O'Reilly Automotive Stores Inc. for 1653-1659  
Huron St. (File #13-236-068, scheduled hearing on Thursday, Oct. 24, 2013)

We assume the St. Paul Zoning Committee will approve O'Reilly's Rezoning request but we request that the Zoning Board enforce the four conditions put forth by the District 10 Land Use Committee. District 10 supports the rezoning request with four conditions. The first condition is "the current fence is replaced since it is falling down and has outlived its useful life". A copy of Oct. 1 District 10 Land Use letter listing conditions is attached.

As O'Reilly's redevelopment progresses, our comment to the Zoning Committee is please enforce the four conditions suggested by the District 10 Land Use Committee.

Sincerely,



Michael and Nancy Becker  
1647 Huron St. residents  
St. Paul, MN 55108

cc: Amy Brendmoen, Ward 5, Russ Stark, Ward 4  
Ted Blank, District 10

city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, AT &T / New Cingular Wireless PCS, LLC, File # 13-239-537, has applied for a Conditional use permit to install 9 cell antennas under the provisions of § 65.310 and § 61.501 of the Saint Paul Legislative Code, on property located at 633 Robert St. S, Parcel Identification Number (PIN) 08.28.22.23.0185-0215, legally described as Cic No 611 Skyline Condo; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 24, 2013, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant, AT & T/New Cingular Wireless PCS, LLC seeks to install nine (9) cell antennas and a 12' by 25' equipment platform on the property at 633 Robert Street S. The cell antennas will join two existing antennas and an existing equipment platform from another carrier on the building.
2. § 65.310 defines 'cellular telephone antenna', requires a conditional use permit for cellular telephone antennas on a residential structure less than 60 feet high, and lists standards and conditions with which they must comply. Conditions (a), (b), (c), (d), (h) and (i) apply.
  - (a) *In residential districts, a conditional use permit is required for cellular telephone antennas on a residential structure less than sixty (60) feet high. In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a freestanding pole, except for existing utility poles. In residential and traditional neighborhood districts, existing utility poles to which cellular telephone antennas are attached shall be at least sixty (60) feet high. This condition is met. An application for a conditional use permit has been made for a wireless communication antenna on a residential structure less than 60 feet high.*
  - (b) *In residential, traditional neighborhood, and OS--B3 and B5 business districts, the antennas shall not extend more than fifteen (15) feet above the structural height of the structure to which they are attached. In B4 Business and Industrial Districts, the antennas shall not extend more than forty (40) feet above the structural height of the structure to which they are attached. This condition is met. Three antennas are mounted on the side of the building, and do not exceed the height of the building roofline. Additional antennas are mounted on a platform and will be less than 15-feet high above the roof of the structure.*
  - (c) *For antennas proposed to be located on a residential structure less than sixty (60) feet high in residential districts, or on a new freestanding pole in residential, traditional neighborhood, and business districts, the applicant shall demonstrate that the proposed antennas cannot be accommodated on an existing freestanding pole, an existing residential structure at least*

moved by \_\_\_\_\_

seconded by \_\_\_\_\_

in favor \_\_\_\_\_

against \_\_\_\_\_

sixty (60) feet high, an existing institutional use structure, or a business building within one-half (1/2) mile radius of the proposed antennas due to one (1) or more of the following reasons:

- (1) *The planned equipment would exceed the structural capacity of the existing pole or structure.*
- (2) *The planned equipment would cause interference with other existing or planned equipment on the pole or structure.*
- (3) *The planned equipment cannot be accommodated at a height necessary to function reasonably.*
- (4) *The owner of the existing pole, structure or building is unwilling to co-locate an antenna.*

This condition is met. The applicant has provided a map showing buildings within one half mile of the proposed antenna site, and explained why the proposed antenna cannot be accommodated on existing structures in the area.

- (d) *In residential, traditional neighborhood and business districts, cellular telephone antennas to be located on a new freestanding pole are subject to the following standards and conditions: The proposed antenna is not a freestanding design.*
- (h) *Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary, it shall be permitted and regulated as an accessory building, section 63.500, and screened from view by landscaping where appropriate. This condition is met. The applicant is proposing to mount an equipment cabinet to the existing elevator penthouse, minimizing its visibility from the street.*
- (i) *Cellular telephone antennas that are no longer used for cellular telephone service shall be removed within one (1) year of nonuse. This condition is met. The applicant has agreed to abide by this condition.*

3. § 61.501 lists five standards that all conditional uses must satisfy:

- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The Comprehensive Plan refers to the importance of investments in local and regional infrastructure supportive of economic development.*
- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. Access to the equipment cabinet for maintenance purposes will not have an impact on traffic congestion in the public streets.*
- (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This condition is met. The use will not alter the existing character of development in the area and will improve the general welfare by expanding cellular communication capabilities in the area.*
- (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met. The use will not impede the development or improvement of surrounding properties.*
- (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. This condition is met. The construction, operation and maintenance of the antenna will conform to all applicable district regulations.*

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of AT &T / New Cingular Wireless PCS, LLC for a conditional use permit to install 9 cell antennas and related equipment at 633 Robert St. S is hereby approved.

ZF# 13-239-537  
ATT



West Side Community Organization  
1 W Water St, Suite 260  
St. Paul, MN 55107  
Tel: 651-293-1708  
Fax: 651-293-0115

October 21, 2013

To whom it may concern:

The Riverfront, Development, and Land Use Committee of West Side Community Organization supports the Conditional Use Permit Application to install 9 cell antennas at 633 Robert St S.

If there are any questions regarding this recommendation, please contact WSCO staff.

Thank you,

Mason Wells

WSCO Community Organizer  
651-293-1708  
mason@wsco.org

ZF #13-240-134  
Brett Ripley

**Langer, Samantha (CI-StPaul)**

---

**From:** Radel, Jamie (CI-StPaul)  
**Sent:** Monday, October 21, 2013 9:27 AM  
**To:** Langer, Samantha (CI-StPaul)  
**Subject:** FW: Re-Zoning of 1682 Taylor

---

**From:** Lisa Belvito [<mailto:lisa@belvito.com>]  
**Sent:** Saturday, October 19, 2013 3:45 PM  
**To:** Radel, Jamie (CI-StPaul)  
**Subject:** Re-Zoning of 1682 Taylor

Jamie - I just received a note from Jo Perry about a zoning hearing next Thursday. I am not available that night but feel VERY strongly against this rezoning.

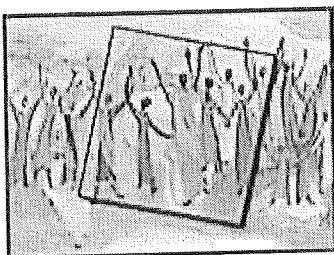
I'm at 1652 Hewitt and have already seen what happens when a single family house turns into a 4 plex. The student rental property 2 doors west of us has created numerous problems and needs to call the police. Over the years since it became a group rental property it has turned into a house that has huge parties and attracts dozens of students moving enmasse searching for parties. The result has been people screaming in the streets at 2AM, throwing bottles and cans on our lawns and actually urinating on our lawns. When approached the students have been disrespectful and at times threatening to the owners of property in this neighborhood. Absentee LL's have little control over how their tenants behave and the home owners in the neighborhood pay the price.

The last thing we need in this neighborhood is another house that attracts roving parties and destructive, irresponsible tenants.

I hope you will take my thoughts into consideration as this potential rezoning is considered.

Lisa

When you retire will you stop working, or will you stop calling it work?



ZF # 13-240-134  
Brett Ripley

**Langer, Samantha (CI-StPaul)**

---

**From:** Radel, Jamie (CI-StPaul)  
**Sent:** Monday, October 21, 2013 9:27 AM  
**To:** Langer, Samantha (CI-StPaul)  
**Subject:** FW: Rezoning 1685 Taylor Ave Saint Paul, MN

-----Original Message-----

From: Henry Newman [<mailto:hsn@hsnewman.com>]  
Sent: Saturday, October 19, 2013 3:55 PM  
To: Radel, Jamie (CI-StPaul)  
Cc: Lisa.Gariepy  
Subject: Rezoning 1685 Taylor Ave Saint Paul, MN

Mr. Radel,

I cannot attend the meeting at 3:30 October 24th given work commitments. I would however like to go on record that I am opposed to rezoning the property. Our neighborhood has experienced numerous problems with Hamline University students year after year with this year being the worse in memory having lived in the neighborhood for over 15 years. This year students walk the streets shouting and drinking Friday and Saturday nights urinating on lawns and seemingly know when the police are called and disperse. I have found beer cans on our front lawn 3 out of the last 5 weekends. The last thing this neighborhood needs is more off campus student housing.

Sincerely,

Henry Newman

--

Henry Newman | CEO/CTO  
1652 Hewitt Ave.  
Saint Paul, MN 55104



**Langer, Samantha (CI-StPaul)**

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**From:** Radel, Jamie (CI-StPaul)  
**Sent:** Monday, October 21, 2013 9:26 AM  
**To:** Langer, Samantha (CI-StPaul)  
**Subject:** FW: 1685 Taylor St. Paul

-----Original Message-----

From: Carol Imsdahl [<mailto:cimsdahl123@gmail.com>]  
Sent: Saturday, October 19, 2013 4:26 PM  
To: Radel, Jamie (CI-StPaul)  
Subject: 1685 Taylor St. Paul

Hi Jamie,

I wanted to comment on the proposal of restoring 1685 Taylor back to a four plex. I live next door to the house and have no problem with what they are propossing. The owners are very responsible and I love that they live in the home so they can take care of any problems right away that may arise.

Thank you,  
Carol

2F# 13-240-134  
B. Ripley

**Langer, Samantha (CI-StPaul)**

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**From:** Radel, Jamie (CI-StPaul)  
**Sent:** Wednesday, October 23, 2013 5:19 PM  
**To:** Langer, Samantha (CI-StPaul)  
**Subject:** FW: 1685 Taylor Ave W

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**From:** Justin Sundberg [<mailto:justin@jdsundberg.com>]  
**Sent:** Wednesday, October 23, 2013 4:12 PM  
**To:** Radel, Jamie (CI-StPaul)  
**Subject:** 1685 Taylor Ave W

Dear Jamie,

My name is Justin Sundberg, and I am the resident of 1711 Taylor Ave W, and I am neighbors of Mr. Brett Ripley.

I was notified that there is a meeting tomorrow regarding the classification of the 1685 building. I would like to weigh in with my thoughts:  
I fully support the building as a 4-plex. If you saw the building, you would note that it really is more fit to house 4 tenants, and changing it to a triplex would require significant structural changes to the building. I know Mr. Ripley, and he is an upstanding individual and a wonderful neighbor.

If you have any questions for me regarding this issue, feel free to contact me at this email or call me at (612) 964-1741.

Regards,

Justin

Justin D. Sundberg, CPA  
612.964.1741  
[www.jdsundberg.com](http://www.jdsundberg.com)